# HISTORY OF THE GERMAN PEOPLE

DD176 .J36 1905
vol.6
Janssen, Johannes,
1829-1891.
History of the German people
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HISTORY OF THE GERMAN PEOPLE at the Close of the Middle Ages. By JOHANNES JANSSEN.

Vols. I. and II. Translated by M. A. MITCHELL and A. M. CHRISTIE.

Vols. III.—XVI. Translated by A. M. CHRISTIE.

# HISTORY OF THE GERMAN PEOPLE AT THE CLOSE OF THE MIDDLE AGES

By Johannes Janssen

VOL. VI.

TRANSLATED FROM THE GERMAN BY A. M. CHRISTIE

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B. HERDER BOOK CO.
15-17 SOUTH BROADWAY, ST. LOUIS, MO.
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# HISTORY

OF

# THE GERMAN PEOPLE

AT THE CLOSE OF THE MIDDLE AGES

## BOOK II—*continued*

## CHAPTER X

THE LEAGUE OF SMALCALD IN ALLIANCE WITH FOREIGN COUNTRIES — THE CATHOLIC COUNTER-LEAGUE — THE FRANKFORT TRUCE

The obstinacy with which the confederates of Smalcald had rejected the proposals of the Pope and the Emperor with regard to a General Council arose out of their confidence in the power they had already gained in the Empire, and their firm conviction that they would obtain support and protection from England and France, and other foreign potentates.

Already in the early days of the establishment of their confederacy they had striven to gain the good-will of the French and English kings, and the heads of the league had concluded an alliance with Francis I.[1]

[1] See vol. v., p. 345 ff.

With England closer relations had arisen since the year 1535. In consequence of a statement made by Henry VIII. through his envoys at the Congress of Smalcald, that 'he was not disinclined to join the Christian League of the Electors and Princes,'[1] the confederates of Smalcald had offered him, on December 25, the office and title of 'protector and president of the league,' proposing at the same time that Henry should deposit with the princes the sum of 100,000 crowns 'for the defence of this most sacred and honourable confederacy.' In the event of a war of defence becoming necessary the confederates were to use this money to defray one half of the expenses, and the other half was to be covered by the money of the associates. In case of the defensive operations being prolonged and the first supplies not proving sufficient the King was to furnish another 100,000 crowns. Henry VIII. had agreed to these proposals, on the condition, however, that in case he and his country were attacked on account of religion the confederates would supply him for four months with 500 equipped horses or ten well-manned ships. These demands exceeded the resources of the Smalcald princes, and the latter resolved accordingly to try and prevail on Henry VIII., through his delegates, to give up his demands, or at any rate to be content with more moderate help. If they were not themselves burdened

[1] In the Frankfort archives, Convolut, 'Bündnisse und Gegenbündnisse von 1535 bis 1536,' fol. 25. Mittelgewölbe, D. 41. 'Responsum ad legatos Anglicos,' in the *Corp. Reform.* ii. 1032–1036. On December 23, 1535, the Elector of Saxony and the Landgrave of Hesse applied to Henry VIII. for help for Christian III. of Denmark, who was a disciple of 'the divine word' and an active worker in its cause in Denmark. *State Papers*, vii. 638–639.

with war, or likely to be burdened with it, they promised to forward for the King's use 600 cavalry and 2,000 infantry, at their own expense, to any convenient spot he should fix on, 'at which place his Majesty should receive these forces into his pay and service.' 'The ratification of a treaty of alliance could only take place on Henry VIII.'s coming to agreement with them in matters of religion.'[1]

Francis I. also, who at the time was preparing for an invasion of Savoy, signified to the Congress of Smalcald his willingness to join the league,[2] but he received no definite answer.[3]

After rejecting the General Council the Smalcald confederates appealed to the King of France on March 5, 1537, to espouse the cause of 'German freedom;' for, they said, it was not only for the good of the Church but also for the preservation of their liberties that the Council had been rejected. Francis I. had often, so they told him, given proof by his actions that he had the freedom of Germany at heart, and that he would always be found on the side of those who defended it justly.[4]

Though the Emperor at this time was at war with the French as well as with the Turks, it was in great

[1] 'Responsio legati regis Anglie. Actum Wittenbergae in dominica Reminiscere,' (March 12) 1536. The negotiations came to nothing. Planck, iii. 326–332.

[2] *Corp. Reform.* ii. 1009–1014.

[3] The Elector of Saxony informed the Count of Neuenar that the negotiations at Smalcald with the French and English delegates had come to nothing: they had 'rien traicte resolument mais seulement ont esté despeschiez avec espoir et bonnes paroles.' Lanz, *Staatspapiere*, p. 193.

[4] '. . . saepe ostendit nobis R. D. V. ac re quoque declaravit se Germanicae libertati optime velle nec defuturum esse iis, qui ipsam in causis justis tuerentur.' *Corp. Reform.* iii. 109–112.

measure with the help of German troops that Francis I. was fighting his battles in Italy.[1] 'The insolence of the French was unbounded.' On December 10, 1537, the King with his court appeared at a solemn session of his Parliament at Paris, and proclaimed, through the mouth of his advocate Cappel: 'The Emperor by his usurpations in Flanders, Artois, and Charleroi had been guilty of the most outrageous crime against his liege lord the King of France.' Charles must accordingly be denounced as a rebel and must forfeit all his possessions. At the King's behest the Parliament summoned the Emperor to appear and answer the charge, and on his non-appearance after a second summons the following sentence was pronounced against him: 'He was a traitor and a violator of pledges; the counties of Flanders, Artois, and Charleroi must be seized as heritages of the Dukes of Burgundy.' This sentence was publicly proclaimed in the streets of Paris.[2] He intended, Francis I. said, to make the German Emperor smaller and more insignificant than any emperor had ever been before, and to summon all the Turks and all the host of demons to help him in the task.[3]

But the state of utter exhaustion to which his

[1] See vol. v. p. 146.

[2] 'Registre du Parlement,' in Capefigue, *François Ier et la Renaissance*, iv. 71–73.

[3] *Relations Secrètes*, p. 76. On July 16, 1537, an imperial envoy told the confederates: 'An attack from the Turks is certain, and the King of France is not ashamed to say publicly that it pleases him, and he and his servants boast of it; he intends joining his fleet at Marseilles to the Turkish armada. Let the confederates consider whether, under these circumstances, it is to their honour and to the welfare of the Fatherland to allow their subjects to take service under the French King.' *Eidgen. Abschiede*, iv. Abth. 1c, 867.

kingdom had been reduced[1] obliged him to come to terms.[2] Through the mediation of the Pope a ten years' truce between Francis and the Emperor was concluded at Nizza on June 15, 1538. On July 14 he had a personal interview with the Emperor at Aigues-Mortes, when he presented him with a diamond ring and swore that 'he would no longer fight against the wisest prince of the age, but that he would be the friend of his friends and the foe of his foes.

'We promised each other,' wrote Charles to his sister Maria on July 18, 'that for the future we would be true brothers, friends and allies, and that we would neither of us do anything that could injure the other. The ten years' armistice is to be regarded as a treaty of peace, and any remaining difficulties are to be settled by our ministers and ambassadors.' The two monarchs agreed to embark jointly on a great expedition against the Turks, not only for defence but also for attack. They resolved also to co-operate for the accomplishment of a satisfactory settlement with regard to the Protestant Estates. Francis promised emphatically to make known to the Estates that he was now on terms of sincere friendship with the Emperor; and he also expressed his intention of striving earnestly to bring the dissentients back under the spiritual authority of the Pope.[3]

[1] Sugenheim's *Frankreichs Einfluss*, i. 78.

[2] Concerning Paul III.'s unwearied efforts for the restoration of peace between Francis and Charles compare Raynald, *ad a.* 1537, Nos. 48–59, and *ad a.* 1538, Nos. 8–13. Weiss, ii. 515–518.

[3] '. . . persuader aux desvoyez de notre ancienne religion de se reduire et accorder amyablement et par ledt sr roy et moi par ensemble y tiendrant la main, et que par traicte de notredt st pere la chose sappoincte.' . . . And further concerning the King: 'Et tiens pour certain, quil fera bien entendre auxds devoyez ceste notre vraye et parfaite amitie, et les

Charles now fed on the hope that nothing further would stand in the way of an amicable settlement of the religious disturbances.[1]

As soon as the chiefs of the Smalcald League heard, in the spring of 1538, of the armistice between the Emperor and Francis I., they sent an embassy to the latter. Hitherto, said the Elector of Saxony and the Landgrave of Hesse, from deference to the Emperor, they had not accepted the proffered alliance of France. Since, however, they had obtained nothing from his Imperial Majesty, and there was now talk of a treaty between the Emperor and the King, they begged the King to make known to them the full extent of what they had to hope for or to fear from him. They, the confederates of Smalcald, were the protectors of 'German freedom' against the encroachments of the Emperor: the salvation of France depended on the preservation of this German freedom.[2] But it could only be maintained by the King's rejecting all alliances with the Emperor which were unfavourable to the Protestants, and by his disclosing to them the Emperor's secret

fera induire et persuader, et tiendra main envers eulx, qui se reduisent et appointent, comme dit est. Et a la verite, ce sera bien le plus convenable de se quay desire se feit.' 'Il est aussi advise, que tout ce, non seulement qui concernera les affaires publiques, mais les particulières, sera toujours avec la participacion, comme il convient a l'honneur et auctorite, de notred[t] s[t] pere, selon qu'il convient a noz devoirs, et merite la sainte, bonne et honneste voulonte et office quil a fait pour parvenir a ceste paix et amitie.' To Maria, in Lanz's *Correspondenz*, ii. 286–288.

[1] On September 15, 1539, the Emperor wrote concerning the King's promise at Aigues-Mortes: 'Se ha voluntariamente ofrecido de enviar a Alemania una buena persona espresa, para que tenga juntamente la mano en la dicha redduccion y para entender segun la exigencia en lo demas para el dicho concilio.' 'Respuesta' of September 15, 1539, in Döllinger, *Documente*, p. 23.

[2] 'Salutem Galliae a conservatione libertatis Germanicae dependere.'

schemes; they would then be ready to enter into a treaty of defence with the King.

To this they received the following answer: 'The King of France would never sacrifice them to the Emperor; he would oppose the holding of a Council, and he was ready to enter into an alliance with them.' After the signing of the truce of Nizza the King gave them his solemn assurance that their hitherto friendly relations had undergone no change. 'On his word of honour'[1] he declared to a second deputation from the confederates at Marseilles on June 30 that 'the Protestant Estates were included in the armistice; that he had refused to agree to the General Council, although both Pope and Emperor had been urgent in their endeavours to obtain his consent, and although, had he yielded, he would at once have been rewarded with the duchy of Milan. Affairs had now quieted down and hopes of the grant of Milan had been held out to him; nevertheless he was still ready to conclude an alliance with the Protestant Estates. Negotiations to this end were already commenced.' Francis I. pledged himself never to recognise the Council without the consent of the Estates, and, in case of the decisions of the Council being enforced against them with violence, he promised to lend them active help. The confederates, on the other hand, promised never to support the enemies of the King, and granted Francis the right to levy troops in their territories. But when the delegates stipulated that the large sum of money which Francis had led them to hope for should be deposited in some German town, and should be at the free disposal of the League for levying troops, then the French ambassador made

[1] 'En foy de gentilhomme.'

the counter-stipulations that the confederates should do as much for the benefit of their King. This brought the negotiations to a standstill. After the interview at Aigues-Mortes Francis once more assured the Estates, on August 2, that in his transactions with the Emperor he had included them as friends and allies, and that he should continue his friendship for them and his alliance with them.[1] The French ambassador De Fosse informed the Landgrave of Hesse that the King would preserve intact 'the freedom of Germany.'[2]

While the confederates of Smalcald were negotiating with France a formal treaty was also concluded between them and King Christian III. of Denmark.

At the request of the Elector of Saxony and the Landgrave of Hesse, Christian III. had sent envoys to the Congress of Smalcald in February 1537. The princes who belonged to the league urged on the town delegates that the King of Denmark should be received into membership. Christian III., they said, had abolished the unchristian papal religion in his dominions and had deposed the bishops from their ecclesiastical posts; he had encouraged the preaching of the pure word of God in Denmark, and had consequently much to fear from the bishops. He was also subjected to unjust treatment on the part of 'the Burgundians'—that

[1] Seckendorf's *Commentarius historicus et apologeticus de Lutheranismo sive de reformatione religionis ductu D. Martini Lutheri . . . recepta et stabilita*, iii. 177–179. As to the Council, the French agent declared that this was an ecclesiastical matter, concerning which the King could not with propriety pledge himself to anything definite in a public treaty. It was indeed his fixed determination not to accept any other than a 'good and free Council;' but he could not reject one which would be accepted by the whole Christian world. Regarding the negotiations of the Smalcald leaguers with France see Baumgarten, iii. 321 *sq.*

[2] June 25, 1538, from Strasburg, in Rommel, ii. 394.

is to say, on the part of the Emperor, who was endeavouring to procure the Danish crown for the Count Palatine Frederick. If the Burgundians succeeded in winning Denmark to their side, it would be all over with the pure word of God in that country. Moreover Denmark was the country best fitted to serve the Pope in fighting the Christian Estates and in damaging their commerce; therefore it was both Christian and advisable that King Christian should be brought into alliance with these Estates; 'for then there would not only be no fear of danger, but, on the contrary, certainty of encouragement, help, and support from the kingdom of Denmark and Norway and the principalities of Schleswig and Holstein.' In the matter of the General Council also they would then have a powerful monarch on their side.[1] The towns gave an affirmative answer,[2] and on April 9, 1538, at an assembly in Brunswick, where Christian III. was present in person, he was received into the League of Smalcald for a term of nine years. In a general treaty with all the members of the league the King promised 'with regard to matters of religion, and everything connected with them, or resulting from them, to place on foot 3,000 soldiers, at his own expense, for a term of three months, or else to pay down 40,000 florins.' The confederates made a similar promise to the King. On the same day the Princes of Saxony, Hesse, Lüneburg, and Anhalt, and the Count of Mansfeld concluded another special treaty with the King, according to which 'mutual assistance was to be rendered in all secular matters

[1] In the Frankfort archives, 'Congress of Smalcald, 1537,' fol. 142. See Waitz, iii. 562.

[2] Letters in the Frankfort archives, Convolut, Mittelgewölbe, D. 41.

also,' so that the negotiations had resulted in an offensive and defensive alliance. Hamburg and Bremen also joined this alliance for nine years.

By these treaties with Denmark the League of Smalcald materially altered its position, for it extended its sphere beyond the confines of Germany and connected itself with the general affairs of Europe. As a collective body the confederates guaranteed the Danish King help and protection against the Catholics, who had been persecuted for their faith and driven out of their homes; while the more influential members of the League promised him assistance against every sort of attack for any pretext whatever, without limitation—even against the Emperor himself.

Within the borders of Germany also the strength of the Smalcald confederates increased continuously.

In July 1537 Duke Henry of Saxony, the brother of Duke George, had joined the league in his own name and in that of his son Maurice; at the Congress in Brunswick the Margrave Hans von Brandenburg had been made a member. In the year 1535 the Margrave Hans had promised his father, the Elector Joachim I., on his death-bed, 'by his honour and faith of a prince,' which affirmation took the place of 'a legally registered oath,' to defend and maintain the Catholic religion; yet nevertheless, as early as 1537, he announced that 'by a special dispensation of the Almighty he had been brought to the acknowledgment of the divine word and the pure doctrine,' and, in spite of the opposition of the Bishop of Lebus, he embarked forthwith on the work of suppressing the Catholics and remodelling the Church in the Neumark.[1] Philip

[1] Seckendorf, iii. 234. See Droysen, $2^b$, 162–175.

of Hesse had advocated the admission of the Margrave to the League, because by this means he would be cut off from his father-in-law, Duke Henry of Brunswick, 'and the papist connection,' and also through his example 'other people might be brought to join it.'[1] Philip hoped especially for the accession of the Elector Joachim II., the elder brother of the Margrave.

In August 1538 the League of Smalcald received fresh additions through the admission of the Duchess Elizabeth of Rochlitz and Count Conrad of Tecklenburg; besides which the towns of Augsburg and Ulm were to negotiate the admission of Schwäbisch-Hall and Heilbronn.[2]

Altogether 'the year 1538 was an extremely fortunate one for the Protestants in the spread of their Gospel.'

In the Upper Palatinate many of the leading towns appointed preachers, and organised their Church system according to the Nuremberg Church ordinances.[3] On November 17, 1538, Count George of Würtemberg, at the bidding of his brother Duke Ulrich, issued an order that in all the towns and villages of the county of Montbéliard the Mass and the ceremonies of the Catholic Church were to be abolished. Duke Ulrich, he said, was acting in this matter 'as sovereign prince,' after the pattern of 'several pious kings of the Old Testament.'[4] The canons of Montbéliard, who declared

[1] Philip's letter to the privy councillors of Strasburg, Ulm, and Augsburg of November 8, 1537, in the Frankfort archives.

[2] Recess of the Congress at Eisenach, August 8, 1538, in the Frankfort archives.

[3] Alting, *Hist. eccles. Palat.* p. 155.

[4] It behoved the Duke 'en sa qualité du prince souverain, d'en agir de la sorte à l'imitation de ce que plusieurs rois pieux ont fait sous l'ancien testament.' Herminjard, v. 182–113.

that 'they were determined to stand by their faith, and that they left others the free exercise of theirs,' were taken prisoners. It was in vain that the Count offered to leave them in the enjoyment of their benefices if they would accept 'the Gospel:' they gave up all their possessions and left the country. Attendance at Mass outside the county was laid under penalty; within the earldom itself, both the towns and the country, the altars and images were everywhere destroyed.[1]

In Würtemberg also the destruction of altars and images went on unrestrictedly.

At an assembly of preachers and ducal councillors at Urach, Brenz felt himself compelled by his conscience to speak out in favour of preserving the pictures and images that gave no offence, because, he said, their destruction increased the insolence of the populace. 'There were already several churches,' he complained, 'in which not even the Ten Commandments, which God Himself had laid down, were taught; if the pictures and images were also turned out, the condition of things would be still worse, for there would be nothing left "to warn and to admonish."' Now, in church, young men stood before young women who were living idols and therefore a scandal.' Ambrosius Blarer, on the other hand, appealing equally to conscience, urged the removal of the pictures, in order thereby 'to testify their Christian thankfulness to God;' images were only fit for taverns and other such places, not for churches.[2] Duke Ulrich voted on the side of Blarer. He ordered that 'the images and pictures should be removed

[1] Heyd, iii. 146–147. 'On abattit dans tous les lieux les images et les autels.' Herminjard, v. 183, note 3.

[2] At the 'Götzentag' at Urach, September 1537. [Besold Chr.] 'Documenta redivivа.'

wholesale from the churches, and that all the clerical offices should be put up for sale.' All the exquisite works of art were first stripped of every bit of gold that was on them and then hacked to pieces.

Meanwhile Blarer had been dismissed by the Duke in disgrace. 'O thrice accursed barbarity!' wrote Bucer on the subject in June 1538. 'I certainly expected something unpleasant, on account of certain followers of Schwenckfeld, who are endeavouring to curry favour with the covetous Duke by wholesale plunder of churches; but who would have expected such brutality on the occasion of the dismissal?' Ulrich wanted the church spoils to cover the cost of his amusements, of his equipment as a member of the League of Smalcald, and of the building of his fortifications. The churches that were pulled down yielded him stones for these works, the bells metal for artillery.[1]

All the members of the league were engaged in active preparations for war.

At a congress in Coburg in August 1537, which had been summoned to consider 'the organisation of a system of military administration,' it was decided by the military councillors of the different Estates that Saxony and Hesse, in order to be enabled to resist the execution of the sentences of the Kammergericht (Imperial Court of Justice), should dispose of double the usual amount of help from the members, and should also levy recruits. The towns of Southern Germany, at a municipal gathering at Esslingen, at the beginning of October, voted in favour of this decision, with the proviso, however, that the whole supply of new guns that were

[1] Heyd, iii. 302–303.

to be cast and of munitions should not be made over entirely to the leaders of the league ; they advised that a fourth part should be deposited in Augsburg or Esslingen.[1] Philip of Hesse would not agree to this, and to please him Ulm advised Strasburg not to compromise the interests of the league for the sake of the guns, since victory and success depended on a powerful expedition.

In April 1538, at a congress in Brunswick, the resolutions of Coburg were agreed to by all the Estates ; each was to pay up its share of money by Whitsuntide, in order that the military preparations might proceed without delay. In the year 1537 the Elector of Saxony and the Landgrave of Hesse had secured in different German territories more than thirty captains, with over 500 foot soldiers under each, and fourteen cavalry captains, commanding each of them from 200 to 300 mounted soldiers. When Philip of Hesse heard in May 1538 that military preparations were also going on in Bavaria, he notified to the town council at Augsburg that if they found out that an attack on the Smalcald confederates was intended, they were to employ the able and experienced warrior Schärtlin von Burtenbach to stir up the Bavarian soldiers to mutiny. This would be all the more easily accomplished as it was certain that many among these soldiers were favourable to the 'Gospel;' he authorised the members of the town council to spend for this purpose as much as 10,000 florins, to the general account of the Estates. But the Bavarian troops were destined for resistance against the Turks, and Schärtlin was consequently

[1] Recess at Esslingen (Thursday after Michaelmas Day), October 4, in the Frankfort archives.

absolved from the task of raising mutiny in the territory of his feudal lord.[1]

The Smalcald princes intended to march out 'in formidable array' the instant the Imperial Court should pronounce the sentence of outlawry 'in matters of religion' against any Estate or any town belonging to their League, and should call on any Catholic Estate 'to enforce such a sentence.'

The Imperial Court was to 'hold its hands' in all matters which in the opinion of the Smalcald confederates were considered religious questions. In a confidential letter to Bucer Philip of Hesse acknowledged frankly that it was 'amusing enough' to compel the Emperor to suspend the proceedings instituted against the Protestants, and thus 'obstruct the course of justice.' 'For verily,' he said, 'we have a whole string of religious matters on hand which have as much resemblance to religion as a hare has to a kettledrum.'

His language to the Imperial Vice-Chancellor, Johann von Naves, on the other hand, had quite a different tone. He told the latter that at Smalcald the Vice-Chancellor Held had 'exonerated and defended the Imperial Court, and had remarked at the same time that the Protestant Estates had incensed the Emperor by including among questions of the faith many matters which had nothing whatever to do with religion.' This, however, was by no means the case. Held 'had completely distorted facts, so much so that they had all been frightened out of their wits, just as if they had had blows struck on their heads.' For they had expected proceedings of a gentle nature, and that the

[1] Herberger, *Sebastian Schärtlin von Burtenbach und seine an die Stadt Augsburg geschriebene Briefe*, lvi.–lvii.

Emperor would be ready to establish a lasting peace, and that he would repeal the measures instituted by the Imperial Chamber.[1]

At the congresses at Brunswick and at Eisenach in April and July 1538 some of the members of the Smalcald League had moved a resolution that the Imperial Court should be altogether repudiated. On neither occasion, however, had the resolution been passed definitely, although on several special points the members had with one consent decided that the authority of this court must be rejected.

Among other Estates that preferred grievances against the Imperial Chamber the town council of Isny stated that they had abolished 'Popish Masses and dangerous abuses' in the monastery of St. George; whereupon the Baron of Waldburg, as guardian and cashier of the monastery, had obtained a mandate from the Imperial Chamber ordering the abbot to be reinstated and the ceremonies and Masses to be continued in the monastery. And although the Council had addressed a letter to the Imperial Chamber, drawing attention to the 'general repudiation of its authority in religious matters,' the suit continued, and they were again threatened with a sentence of outlawry. The abbot had moreover refused to give any salaries to the pastors and church officials appointed by the town, and had said that the town must pay them at its own expense. Finally the abbot and the monks 'had actually had the audacity to hold Popish Masses outside the town, and also on their way to the Mass to ride in and out of the town, to the great annoyance of many people.' These

[1] Report of Naves to Queen Maria, in Lanz, *Staatspapiere*, p. 263; Baumgarten, iii. 335 ff.

complaints were regarded as well grounded by the notables at Eisenach. The council of Isny, it was said in a subsidiary recess, was bound, 'for the prevention of scandal and offence,' to forbid all toleration of papacy, whether inside or outside the town; if the monks would not give in, it was the duty of the council to eject them; the abbot was bound to provide the necessary maintenance for the Protestant preachers and church officials. If the members of the council were placed under the ban and treated with violence on account of these proceedings by the Imperial Chamber, the league would afford them help and protection, according to its agreement.[1]

Persecution of the Catholics seemed a matter of course to the confederates of Smalcald, and wholly in accordance with 'the divine word and the holy Gospel.' If the Imperial Chamber espoused the cause of the Catholics, it was repudiated and accused of fostering disturbance in the Empire and causing insurrection.

'The Emperor,' said Conrad Braun, assessor to the Imperial Chamber in 1539, 'has issued orders for general peace, and has forbidden any person to attack or do violence to another, either in body or property, or in any other way, under pain of punishment according to the rules of the public peace. Whereas, however, the Protestant Estates and their associates are in the habit of forcibly depriving churches and church officials of their possessions, on account of the faith, and have gone to the length of taking the property and lives of even some of the laity, and whereas the oppressed and injured individuals, on the strength of the Emperor's

[1] 'Eisenacher Nebenabschied' of August 8, 1538, in the Frankfort archives, Convolut, 'Diet at Eisenach.'

orders to keep the peace, appeal for justice against their persecutors, and receive redress for the wrongs done to them, this legitimate fulfilment of the imperial decree is, so I am informed, called a feud and a breach of the peace and Heaven knows what, which is as much as to call white black, light darkness, and clear undeniable right aggression and wrong-doing. The Protestants break the peace enjoined by the Emperor; the Imperial Chamber, in discharge of its duty, institutes legal proceedings against these violators of the peace and enforces the imperial mandate and peace edict of Ratisbon; and the Imperial Chamber forsooth is accused of not conforming to the said imperial mandate and of breaking the peace. It is precisely the argument of the wolf against the sheep. The wolf was standing at the top of the stream, and the sheep further down; the water was troubled, and so the sheep had troubled it. It is almost the same sort of logic.' For of what but acts against the imperial peace and truce are the protesting confederates accused? For instance, punishing people for their faith with prison, stocks, and fetters; maiming their bodies and taking their lives; plundering churches of their treasures, and depriving their incumbents of all revenues; seizing houses and castles, and suchlike, all of which are contrary to the aforesaid imperial peace and truce.

Then they appeal to the words of the peace: 'all judicial procedures that have been or shall be commenced against the Protestants in matters of religion in the Imperial Court are to be suspended.'

But 'if these words are to be understood to mean that in questions of plunder of Church property, and

similar acts of violence, the Imperial Chamber was to abstain from legal prosecution, the imperial mandate would not have the effect of promoting peace in the land, but it would lead to results exactly the opposite of what it was meant to accomplish. If the evangelical preachers are to be allowed to plunder Church property at their pleasure, and to commit other acts of depredation, and nobody is to have the right to call them to account, the opposite party must in common justice be allowed to take reasonable measures for self-defence. And what sort of peace would there then be in the land? There was not the slightest doubt that it could not have been the Emperor's will and intention that under the mere name of peace all sorts of injustice and iniquity should be permitted, whereby so many excellent institutions and churches would be robbed of their goods and revenues, and so many unfortunate people in the Holy Empire deprived of the benefit of all law and justice, natural, human, and divine. 'Forcible measures came from the Protestant side only.' 'I have hitherto heard of no acts of violence but those which proceeded from them. Nobody has ever yet taken the property of the Protestants by force; but it is known to everybody how several bishops, innocent of all offence, have been attacked by the Protestants with armed forces and compelled to pay large sums of money; how many churches with their officials and overseers, both of high and low degree, have been for some time past deprived of their goods or driven away; and all this may well be called iniquitous behaviour.'

'If the Protestant Estates,' says another Catholic contemporary, 'consider themselves justified, on the strength of so-called divine truth, in confiscating

Church property, abolishing the ancient forms of worship, and driving the followers of the old faith out of their demesnes, have they any better arguments on their side than the Anabaptists and other sects, who each in their turn brag of being the sole possessors of divine truth, and therefore entitled to confiscate all property, secular as well as ecclesiastical, and above all to take possession of the goods and chattels of those who will not accept this divine truth and attach themselves to their party ? '[1]

The Smalcald confederates were not merely bent on the establishment of a separate religious creed within their territories, but also on the wholesale suppression of the old faith and its adherents. They insisted on entire independence of the authority of the Emperor and the Empire in all those matters which they were pleased, on the sole warrant of their own caprice, to bring into connection with the religious schism.

' The uninterrupted warlike preparations ' of these confederate Estates and ' their intrigues with foreign potentates,' frightened the Catholic Estates out of the lethargy they had hitherto manifested. As the Emperor, owing to the war forced upon him with the Turks and the French, was obliged to be absent from the Empire for a long spell of years, it became necessary for these Catholic Estates to seek safety and protection for their religion and their possessions against the oppression of the Smalcald League in a firmly cemented counter-league.

An alliance of this nature for the defence and preservation of the old faith had already been organised at Halle, in November 1533, between the Elector Joachim

[1] *Dicta Memorabilia*, p. 49.

of Brandenburg and the Dukes Eric of Hanover, Henry of Brunswick, and George of Saxony. The above-named princes, so the Elector Joachim informed King Ferdinand, 'had met together at Halle, and after they had discovered that the Lutherans were in the habit of holding frequent private meetings, and were engaged in extensive machinations for depriving the Catholics of their lands, for stirring up insubordination among them, and drawing them over to their own party in defiance of the Diet of Augsburg and Nuremberg and the Peace of Nuremberg, they had bound themselves together in a friendly permanent league for the defence of the true and ancient faith.' 'We intend,' so the allied princes declared, 'to continue in obedience and conformity to the Holy Catholic Christian ordinances, ceremonies, and usages handed down to us by our forefathers, together with our subjects, tenants, and kindred, and to preserve them unaltered, and not to allow ourselves to be deprived of them by force. We shall not attempt to bring round to our faith those persons who persist in their own separatist opinions, and in disobedience to the general Christian Church, neither shall we proceed actively against them, but we shall confine this our alliance to the protection of ourselves and our belongings, and to the maintenance of obedience among our subjects.' [1]

Another association, formed for the same object in the year 1538, was the so-called 'Christian Alliance' of Nuremberg, which the Vice-Chancellor Held, commissioned by the Emperor, had been chiefly instrumental in organising.

Already at the beginning of the year 1537, after

[1] Bucholtz, v. 321–322.

the renewal and strengthening of the League of Smalcald, Held had urged on the Catholic Estates 'the necessity of their uniting more closely' if they did not wish to fall a defenceless prey to the attacks of the Smalcald confederates. 'God will help us wonderfully with His grace,' he wrote in February 1537 to Duke Henry of Brunswick, 'if only we on our part take some active steps and do not remain idle, as we have hitherto done.' He was delighted to find that the Duke was equipping himself and making preparations in case of need; he urged him to do all he could to fire the Archbishop of Mayence 'and other poor-spirited chiefs,' and not to allow them to vacillate. 'Everything depends,' he said in a later letter, 'on our being prepared for active resistance and not dawdling on from day to day. Not till the Protestants see that we are able to defend and protect ourselves will they begin to grow circumspect and cease to think so confidently and presumptuously that everything must fall out according to their own will, and that they have only to say that they want something for it instantly to happen.' Held insisted on stringent measures being taken against 'the unseemly proceedings of the Protestants in violation of the laws of the Empire and the treaties of peace.' When he received intelligence of the banishment of the Bishop from Augsburg, of the confiscation of Church property there, and the suppression of the Catholic Church service, he wrote to King Ferdinand: 'Your Majesty will see from this that nobody becomes any better through his Imperial Majesty's lenient and kindly treatment, but that, on the contrary, his forbearance leads to still more criminal insolence and audacity. What will be the final outcome of all this your Majesty can well imagine from the

present grievous events. These and other similar occurrences might easily have been foreseen. Would God they had been anticipated! I at any rate did not fail to give diligent and earnest warning.'[1] The Smalcald confederates, so Held remarked to the Bavarian councillor Weissenfelder in the spring of 1538, do not 'call all those who belong to their sect Turks, and worse Turks even than the Sultan and his subjects.'

At the proposal of Held King Ferdinand resolved in 1538 on summoning a meeting of the league at Nuremberg.

To a friend of the Nuremberg council invited to Prague Ferdinand gave notice that 'the Emperor and the King were engaged in negotiations with some of the Electors and Princes with a view to forming a league, the object of which would not be to proceed inimically against any law-abiding Estate of the Empire, but to resist and restrain as much as possible all such turbulent citizens who should stir up riots and tumult against any one, and to protect and preserve everywhere the orderly loyal subjects of the realm, and to maintain public peace and justice. In case the council should be informed that this league had for its object the suppression of the evangelicals, they must give no credence to such a report, but must rest assured that the Emperor would protect all his subjects according to the terms of the Religions Peace of Nuremberg. The Emperor would shortly summon an assembly at Nuremberg for the purpose of considering this league, and he was convinced that the council would have no cause for complaint on the subject. It might possibly also be unavoidably necessary to hold a general Diet,

[1] Bucholtz, v. 332, note.

and for this purpose Nuremberg was the fittest and most convenient town. In such an emergency the Emperor would expect the council to show itself amenable, and to take all necessary precautions for preserving order and security during the meeting of the Diet. The council need not be afraid that the Emperor intended in any way to interfere with their religious ceremonies or worship; but, on the other hand, they must consider that whereas the Diet could not be hurried to a conclusion in a short space of time the Emperor and King would have Masses regularly said during its sitting.'

To such a pass had things now come in the Empire that both the Emperor and the King were obliged to entreat the council of an imperial city for leave to carry on their Catholic worship.

To this communication of Ferdinand's the council answered that 'Nuremberg, owing to its over-population and to the increased prices of provisions, which might easily lead to riots among the people, was not a suitable town for an Imperial Diet. If, however, it was decided to hold the Diet there, the council would lay down no injunctions for their Majesties with respect to the reading of Masses; but their Majesties and other princes might observe their ceremonies in the imperial fortress or in their dwellings. The council would be even willing, at the request of the Emperor and the King, to place one of the churches at their disposal for the celebration of their services on high festivals, or at other times, and to suspend the services of the new religion on such days in order to make place for their Majesties. To the Electors and Princes, however, no such permission could be granted

by the council; they must hold their services in their own courts and hostels only.' [1]

The assembly in question took place at Nuremberg the following Whitsuntide.

On June 10, 1538, a league was concluded for the space of eleven years between the Emperor, King Ferdinand, the Archbishop and Elector of Mayence, the Archbishop of Salzburg, and the Dukes William and Louis of Bavaria, George of Saxony, Eric the elder, and Henry the younger of Brunswick-Wolfenbüttel.

The charter of the league began with the announcement that 'now, as before, it was the Emperor's earnest wish and command that the peace of Nuremberg should be strictly observed and conformed to by all his subjects. Whereas, however, in violation of this treaty, several of the Protestant Estates had established leagues and were carrying on all sorts of intrigues, from which in the future fresh heresies, turbulence, and insurrection might result, to the ruin of the German nation, the Emperor had reminded his brother Ferdinand, and the rest of the loyal Electors, Princes, and Estates, of the promises they had made at several former Diets, and he now called upon them to conclude with him the present Christian alliance, not with a view to aggression of any sort, but solely for defensive purposes.' 'We have banded together collectively and unanimously,' so ran the emphatic declaration, 'and we are pledged that no one member of our Christian confederacy shall, in violation of the Nuremberg treaty, set about to attack, injure, persecute, or do violence to any of the Protestant princes or their subjects; and

[1] F. v. Soden, *Beiträge zur Geschichte der Reformation und der Sitten jener Zeit*, &c., pp. 458–460.

that none of us shall in any way proceed with force against any of these said Protestants in their lands or territories. But, on the contrary, this same treaty of Nuremberg, which was drawn up by us, the Roman Emperor, and the Protestant Estates, shall in all respects be steadfastly and inviolably observed.' The league, it was stated, was an entirely *defensive* one, for the protection of the Catholic faith and the ecclesiastical institutions and property within the dominion of its members. These institutions and possessions were to be guarded ' from injurious invasion and violence.'

' In case, then, any one,' the charter went on, ' be it who it may, should dare, secretly or openly, in whatsoever manner, to attack any of us, lay or cleric, or our dependents, and to endeavour criminally and with force to deprive us of our true religion, ceremonies, ordinances, and usages, or in other ways to distress us with regard to our religion and all that is legitimately connected with it, or to incite our people against us, or to intrigue with them, against such persons we must and will oppose resistance with all our united forces, and protect ourselves from them in the practice of our true religion, in accordance with right and justice.' In case, moreover, any attack should be made by the Protestants, not on any pretext of religion, but under some other pretext, connected with secular proceedings, or in case of insurrection arising among their subjects—in such cases also they would mutually help and support each other.

' Foreign realms, outside the pale of the German nation and language,' were emphatically excluded from this league ; but all German princes, prelates, counts, and towns were to be admitted at their desire and

request. Efforts were at once to be made to gain the accession of the Electors of Treves, Cologne, and the Palatinate, the bishops in Franconia, Suabia, Westphalia, and Saxony, besides several counts and towns.

Protestant Estates and towns were also to be invited to join.

'And in order that the towns and other Estates,' so ran an appendix of June 12, 'in which the Lutheran doctrines have already taken root, may be persuaded to join the league, we will allow them to abide by the religion which they at present profess, until the General Christian Council shall take place, or a reform be instituted; but on condition that, meanwhile, they introduce no further innovations in religion, and that they agree to submit to what shall be decided at the General Christian Council with regard to reform.'

Duke Louis of Bavaria and Duke Henry of Brunswick were respectively nominated chiefs of the league for the South German and the Saxon provinces.

Already before the ratification of the League of Nuremberg, King Ferdinand, threatened with a fresh invasion of the Turks in Hungary and Austria, had exerted himself through the agency of the Elector Joachim II. of Brandenburg to come to terms with the Protestants. Joachim had entered into negotiations with the Elector of Saxony and the Landgrave of Hesse concerning the help they would be ready to give for resistance against the Turks. That serious danger from Turkey confronted the German Empire was by no means unknown to the Protestant Estates. 'By credible reports from many quarters we learn,' said John Frederic of Saxony and Philip of Hesse in a despatch to their fellow-confederates on June 7, 1538, 'that the

Turks are ready to advance with more than one army, and from more than one direction, to the work of subjugating all the Christian countries, especially the Austrian dominions; or at any rate to injure and devastate them as much as possible.' The two princes dwelt on the difficulty of the Protestant situation. If they refused to contribute any aids and the Turks were repulsed by the help of the other Estates, 'especially the papists,' several of which had already volunteered help, and if perchance a treaty of peace or an armistice was concluded with the Sultan, in either case it would be matter for reproach against the evangelical Estates, and would give their adversaries all the more encouragement to proceed against them. Such success over the Turks, however, 'was scarcely to be expected, considering all current reports, which were indeed depressing enough.' If, however, the campaign went against them, and German towns and provinces were lost, damaged, or devastated, the blame would be laid on the Protestant Estates, because they had not contributed any help.

It was resolved that the question of subsidies should be decided at a congress at Eisenach.[1]

Meanwhile the heads of the Smalcald League, in a letter of June 12 to the Elector of Brandenburg, made the following stipulations: 'King Ferdinand must give them unequivocal assurance in the Emperor's name of an unconditional peace, which should also include all those members who had only joined them after the truce of Nuremberg, and also all who should join in future. Further, all proceedings of the Imperial Chamber against them must be suspended, and these

[1] Despatch of June 7, 1538, in the Frankfort archives.

pledges and assurances must be ratified at a fresh Diet by the collective body of Catholic notables.' In case it should not be possible to hold this Diet at such an early date, then they must receive a guarantee of this 'peace' from the Dukes of Bavaria, the Duke of Saxony, the three spiritual Electors, and other bishops specified by name. If this guarantee could not be obtained at once, the Emperor and the King must at any rate make themselves irrevocably answerable for their sovereignties and their hereditary estates.[1]

In this way the Protestants hoped to turn the Turkish danger to their own ends.

At the Congress at Eisenach, at which Brandenburg delegates were present, the confederated Estates reiterated, on August 5 and 6, the stipulations laid down by Saxony and Hesse.

King Ferdinand could not be brought [2] to agree to these terms, but he informed the Emperor of the transactions with the Protestants, and begged for fuller instructions. The Emperor, as usual, was anxious for an amicable settlement, and he hoped, he said, that the King of France also, in accordance with the promises he had made at Aigues-Mortes, would do what he could to further an accommodation. Fuller instructions from himself, he wrote on September 22 to Ferdinand, were not needed; for everything must be done in agreement with the Pope and the legate despatched by his Holiness to Germany. Some concessions might be made to those who had fallen away from the faith, either permanently or for a specified period; nevertheless they

[1] Planck, 3[b], 5–7.

[2] 'Articoli et petitioni di Lutherani tanto enormi et inhoneste;' see the papal legate's letter of September 9, 1538, in Laemmer, *Mon. Vat.* p. 192.

must be such as would not be detrimental to the substance of the faith and of religion. If this did not satisfy the Protestants, Ferdinand was then at liberty to arrange a temporary armistice with them on the most favourable terms possible, subject always to the Emperor's approval.[1] As his plenipotentiary in the transactions which were to begin with the Estates on February 20, 1539, under the mediation of the Electors of Brandenburg and of the Palatinate, the Emperor appointed the banished Archbishop of Lund, John von Weeze.

According to the Emperor's orders, so Ferdinand assured the legate Aleander, no concessions would be made to the Protestants without the concurrence of the Holy See. By means of the negotiations at Frankfurt, whither he also intended to send his envoys, he hoped to prevent the Lutherans from undertaking anything which would disturb the peace of Germany.

'Levying of troops and other warlike preparations' went on uninterruptedly in the Empire.

From fear of the Smalcald confederates the Dukes of Bavaria expended 300,000 florins on the fortification of Ingolstadt. From fear of Bavaria the people of Augsburg tore down the most beautiful ornament of their city—the towers (above a hundred in number) built, in the German style, upon their walls—and employed Hessian workmen to erect new defence works with bare naked walls.[2] The towns belonging to the Smalcald League resolved in December 1538 on holding a municipal assembly at Esslingen, in order to consider

[1] Charles V.'s letter to Ferdinand and instructions for his plenipotentiaries at Frankfurt, in Laemmer, *Mon. Vat.* pp. 193–195; Pallavicino, lib. 4, cap. 8.

[2] Herberger, p. lvii.

the question of provisions, artillery, and powder in case of an attack. They deliberated also as to the advisability ' of applying for foreign help from other Christian potentates.'

Philip of Hesse and Ulrich of Würtemberg were unceasingly occupied in levying troops. There could no longer be any doubt, wrote Matthias Held from Worms to Duke Louis of Bavaria on December 5, that Philip and Ulrich intended setting out on a march in the following spring. ' They are drawing away the Emperor's and the King's subjects ; they are determined to settle everything according to their own will and pleasure, and to be themselves lords and masters ; in order that their " gospel " may be spread and propagated, they mean to subjugate the whole German nation. They are collecting as much money as possible ; they pay and they promise any amount of interest that people like to ask them for, and in consequence they tax their subjects inordinately. Ulrich has now once more imposed such heavy taxes that many of his subjects are obliged to leave house and home and go away into misery ; I have seen such cases myself.' Held appended to his letter the copy of an injunction issued by Philip of Hesse in November with regard to the expedition he had planned with Ulrich. But it was not known against whom the attack would first be directed. Count William of Fürstenberg was the chief lieutenant, Philip and Ulrich themselves the commanders-in-chief. William of Fürstenberg was at that time levying troops in Strasburg, for which work, so King Ferdinand believed, the necessary funds were supplied by Philip and Ulrich. Jacob Sturm of Strasburg warned Philip, on December 3, against a war of aggression.

It was feared that the Landgrave would take the Archbishop of Mayence and other Catholic princes by storm, and then, if fortune favoured him, make a bold bid for the Empire, and attempt to make himself emperor or king.

In Mayence the threats of the Landgrave had created great consternation.[1] Archbishop Albert had also 'special fears of Saxony, on account of his bishoprics of Magdeburg and Halberstadt,' because the Saxon Elector had endeavoured in writing to make the Estates of these dioceses disaffected towards him, and because Luther 'had unexpectedly begun to rage against him so furiously.' The humanist Simon Lemnius, who was studying at the University of Wittenberg, having praised the Archbishop extravagantly in Latin epigrams, Luther had declared from the pulpit, on June 16, 1538, that he could not endure that 'this self-condemned godless priest' should be extolled by the Wittenberg press.[2] In December he wrote a scurrilous pamphlet against Albert, in which in the name of God he pronounced 'the supreme judge's sentence' on the Cardinal, Archbishop, and German Elector, as follows: 'Albert is a bloodhound, a tyrant, a thief, and a murderer.' 'What shall I say of the accursed cardinals? They themselves know well that no cardinal can be in favour with God and man, any more than the Pope can. They are people who blaspheme and mock at God and want to overthrow all kings and magistrates, as says Daniel, ch. ix.' 'In short,' wrote Luther of Albert on January 2, 1539, to Prince

[1] 'In Moguntia si stava con timore per le minaccie que detto l' Angravio havea fatto contra di loro.' Letter of the papal legate from Vienna, January 24, 1539, in Laemmer, *Mon. Vat.* p. 215.

[2] De Wette-Seidemann, vi. 199–200. At p. 199 Seidemann gives an account of the whole transaction with Lemnius.

George of Anhalt, 'God has blinded his eyes and hardened his heart.'

'An occurrence of a specially remarkable kind aggravated the inharmonious state of things.'

On December 30, 1538, the Landgrave Philip had caused a secretary of Duke Henry of Brunswick travelling through Hesse to be seized and robbed of his letters and papers. Among them was found an autograph letter from the Duke to the Archbishop, in which it was said: 'The Landgrave does not sleep much, scarcely one hour in the night; he has not a moment's peace except when hunting. I fear that he is going out of his mind. The matter deserves serious consideration.' Bavaria, he continued, had already received intelligence of the military preparations of the Landgrave, who would fall upon either Mayence or Brunswick. 'God on our side and the devil on that of our enemies. May the devil carry them off! I wish your Grace a happy and prosperous New Year.' This secretary was carrying to the Vice-Chancellor Held instructions to the following effect: 'Duke Henry thought the best course would be for the Imperial Chamber to order the Landgrave to keep the peace and to discontinue his warlike preparations; if he should refuse to comply with this order, the court should pronounce the sentence of outlawry and entrust the enforcement of it to Duke Henry and Bavaria.'

Philip at once sent copies of these letters to King Ferdinand, to Duke George of Saxony, to Duke William of Bavaria, and to other notables; he received, however, assurances from them all that there was no idea of an offensive war on the part of the members of the Nuremberg League.



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These assurances were *bona fide.*

At an assembly of the Nuremberg confederates at Pilsen on February 12, 1539, it was resolved that accurate information must be obtained as to whether Hesse and Würtemberg had discontinued their military preparations in compliance with Ferdinand's request. If it were found that they had not done so, but that they were equipping more busily even than before, and that they were paying money to the soldiers and making ready for war, then the chiefs of the league 'must also commence preparations on a scale proportionate to that of the opponents, and must proceed to levy soldiers.' An army of 4,000 cavalry and 20,000 infantry must be got in readiness, and each member of the league must provide funds for the maintenance of this army during three months. 'If, however, the answer from Hesse and Würtemberg was that the Protestants had suspended their preparations, or were no longer so eager about them, then the chiefs of the counter-league must also suspend their operations and behave in such a manner that no occasion should be given the adversaries for insurrection.'

Ferdinand 'feared nothing so much as a war in Germany.' At his court such alarming news came pouring in concerning the equipment of the Turks, who were allied with the Tartars, that the overthrow of Germany and of the whole of Christendom seemed at hand. The King, accordingly, begged the Elector of Brandenburg all the more earnestly to expedite the attempts at an accommodation with the Protestant Estates at the Congress of Frankfort.

The heads of the League of Smalcald had summoned

the Congress at Frankfort for the transaction of 'weighty and urgent business.' The attendance of the notables was very numerous;[1] Duke Ulrich of Würtemberg, to the great annoyance of his co-religionists, was the only absentee. Among the divines present was the Frenchman Calvin, who here first made acquaintance with Melanchthon, whom he was able to greet as a believer in his doctrine of the Lord's Supper. As to any improvement in the administration of the Church revenues for spiritual purposes, a question that was to be discussed on the basis of Bucer's propositions, Calvin had small hopes from the Princes, because the latter wanted to use them according to their own fancy and were not likely to restore what they had once got possession of.[2] The theologian Myconius, on the other hand, lavished abundant praise on the Princes in a letter to Luther of March 3. 'They are accomplishing steadfastly and bravely the work of Christian heroes;' but at the same time he could not look with approval on the inordinate drinking bouts of the Princes.[3]

On February 14 the heads of the League informed the Estates that 'the Catholic opponents must have some extensive scheme in their minds,' because the town of Minden, in spite of its appeal against the Imperial Chamber, had been placed under the ban in

[1] List of the members present in Lersner, Frankfort *Chronicle*, i. 341–342.

[2] On March 16, 1539, Calvin wrote to Farel: 'Nemo erat qui non indigne acciperet, Wirtembirgensem malle venatione sua et nescio quibus lusoriis oblectamentis frui, quam consultationi interesse, in qua et patria ejus et caput fortasse agatur, quum biduo tantum abesset.' *Calvini Opp.* x. 326.

[3] '. . . Difficile videbatur impetrare, quoniam nihil id principes ad se pertinere putant, qui bona ecclesiastica pro suo arbitrio administrant. Et alii quidem aegre ferunt sibi de manibus excuti lucrum, cui jam assuevcrunt.' Calvin to Farel, March 16, 1539, in *Calvini Opp.* x. 324.

matters of religion, and Duke Ulrich of Würtemberg, as he had informed the Landgrave of Hesse, was also threatened with the ban. King Ferdinand had indeed written to the Landgrave that 'peace was to be maintained in the Empire and the terms of the armistice observed,' but he had not made any allusion to the ban pronounced against Minden. Duke George had written that 'justice *must* have its course;' and several others had also said that 'if they received orders to enforce the sentence against Minden they would have to obey them.' From the intercepted letters of Duke Henry of Brunswick they were now cognisant of 'the attitude of the opposite party;' if the Duke's secretary had not been arrested, 'war and disaster would have ensued.' Saxony and Hesse did not 'expect much good' from the contemplated negotiations with the Elector of Brandenburg, who had offered himself as mediator, and with the imperial ambassador, the Archbishop of Lund; for Mayence, Bavaria, and Brunswick were continuing their preparations for war uninterruptedly, and there was no doubt that they meditated an attack on the Protestant Estates. Therefore it would be well to consider whether they should not take the initiative and be beforehand with their adversaries. They declared themselves in favour of an attack.

But all the notables were not of equally belligerent minds.

Among others Duke Francis of Lüneburg said he could not really believe 'that the opposite party intended to fight;' many friendly and gracious letters had been received from King Ferdinand and the Electors and Princes, and in the terms of the

Nuremberg League itself it was stated that the armistice must be observed.

Hesse and Saxony 'were eager for war,' wrote Balthasar Clammer, ambassador of Duke Ernest of Lüneburg, on February 18; but the resolution had been greatly modified, and decision in the matter postponed until the proposals of the mediating Electors should have been heard. 'If the Electors did not succeed in arranging for peace, or a delay,' 'nothing was more probable than an outbreak of war.' At the proposal of the Elector of Saxony it was resolved that in order to impress the Electors while the negotiations were proceeding further levying of troops was to go on; and efforts were also to be made to arrive at an understanding with the English, French, and Danish ambassadors who were present.[1]

At the commencement of the negotiations with the Electors of Brandenburg and of the Palatinate, as mediators, with the Archbishop of Lund, as the Emperor's delegate, and with the envoy of King Ferdinand, the Protestants made such immoderate demands that the conclusion of a truce was out of the question.

They stipulated for 'an unconditional permanent peace,' for the suspension of all pending, and the interdiction of all future legal proceedings in the Imperial Chamber with regard to matters of religion 'and everything connected with it,' and for sanction for the confiscation of Church property. 'In addition to these demands,' so Ferdinand's envoys reported, 'they

[1] Fuller details concerning the transactions in Balthasar Clammer's reports, in O. Meinardus, 'Die Verhandlungen des schmalkaldigen Bundes vom 14. bis 18. Februar 1539,' in *Forschungen zur deutschen Geschichte*, pp. 626, 636–654.

want to appropriate all the tithes and usufructs which belong to the churches and religious houses outside their jurisdiction, and to dispose of all Church property and revenues according to their own liking: and all this, forsooth, is to come under the head of "religious matters."' 'They insist also that all future members of their league, as, for instance, Denmark, the Duke of Liegnitz, the Duke of Prussia, the towns of Riga and Reval, shall be included in this treaty of peace.' None of their party are to be punished by the Catholics, in person or property, on account of their religion, and the renegade priests, monks, and nuns, and their children, are to be in no wise kept out of their hereditary portions.

'Under such peace conditions only will the Protestants agree to contribute their share of help against the Turks, but they are of opinion that in order to raise efficient supplies for this purpose it will be necessary to summon an imperial Diet.'

Toleration of the Catholics the Protestants would by no means agree to, because, said they, uniformity of worship must exist in towns and provinces.[1] But the Catholics, on the other hand, were to allow the new doctrines, *i.e.* 'the gospel,' free play in their territories. And because the Catholics would not agree to these terms Luther considered peace out of the question.[2]

As late as March 2 Luther had expressed himself in the most vehement language against the Landgrave of

[1] '. . . contrarios enim cultus in una provincia aut urbe ferri non posse.' Seckendorf, iii. 202.

[2] 'Valde miror,' wrote Luther to Melanchthon on March 14, 1539, 'quomodo conditiones pacis possint firmari, quando vos petitis ostium Evangelico apertum, et illi clausum velint.' De Wette, v. 172.

Hesse ;[1] soon after, however, he said : ' If I were the Landgrave I would soon pitch into them and either succumb or destroy them, since they refuse peace on terms so good and righteous ; but it does not become me as a preacher to give such advice, still less to act up to it.' The Landgrave, he said, was ' a hero and a wonderful creation of God.' He had ' sent the bishops to the right-about in the year 1528, and now he is going to speak with them in the gate, so that the papists will be compelled either to do or suffer injury, either to hold their tongues and sit still or to make peace.'[2] Resistance must be opposed to the Emperor as well as to the Turks, so Luther advised, if he proceeded to make war on the evangelical Estates, because then the Emperor could be regarded in no other light than ' a mercenary and a highway robber in the service of the Pope : ' even the Turks were not as bad as the Pope.[3]

The demands made by the Protestant Estates were stigmatised by King Ferdinand as incompatible with the claims of religion, and by the imperial ambassador as irreconcilable with what was due to the collective

[1] ' Thraso noster,' wrote Luther to Franz Burkhart, Vice-Chancellor of the Saxon Elector, ' spargit rumores belli, et nescio quot locis, invadendas esse nostras terras intra quatuor hebdomadas a militibus clanculum dispositis, formidat seu fingit verius. Mirum est, quam furiat verbis sese dignis, *cum sit corde et manu, sicut semper fuit, prorsus inutilis*, et tamen cupiat, suam operam summe necessariam existimari.' Schirrmacher, *Briefe und Acten*, pp. 379–380.

[2] *Collected Works*, lxii. 62, 86–87.

[3] De Wette, v. 160, February 8, 1539. ' Aut igitur deponant Papa, Cardinales, Episcopi, Caesar, &c., nomen Christi et fateantur, se id esse, quod sunt, id est mancipia Satanae, tunc suadebo, ut prius, ut gentilibus tyrannis cedamus, aut si sub nomine Christi contra Christianos ipsi et Antichristiani scienter jacerent lapidem sursum qui recidat in caput ipsorum, ferant poenam secundi praecepti.'

Estates of the Empire, without whose consent such radical changes could not be attempted.

All negotiations seemed useless, and war was momentarily expected.

On February 29, a few days after the commencement of the transactions, Schärtlin von Burtenbach, the chief military commander of Augsburg, had been instructed by Philip of Hesse to lay the following proposal before the town council of Augsburg: 'That the town of Augsburg should allow him to enter the Landgrave's service for two months, in order to command a regiment of infantry for him. In these two months Philip hoped either to procure peace on the conditions he wished for the Protestants, or else, in conjunction with Schärtlin, to defeat Duke Henry of Brunswick, Duke George of Saxony, and the Archbishop Albert of Magdeburg and Mayence.' Schärtlin took counsel with two envoys of the Smalcald confederate princes at Ulm. They devised a plan for secretly gaining over the miners of the county of Tirol, among whom there were many excellent arquebusiers. An 'honourable fellow' known to Schärtlin was to be employed in the business of recruiting. The towns of Constance and Lindau were to levy soldiers in the Thurgau, the Forest Cantons, the Baar, and the Hegau. Three places of rendezvous were fixed upon: the camps were to be pitched between Augsburg and Ulm.[1]

On March 18, at a congress of the Five Cantons held at Lucerne, it was announced that 'the Smalcald confederates were making extensive preparations, and seeking everywhere to draw their co-religionists into the League; from Strasburg they have addressed them-

[1] Herberger, pp. lvii–lix.

selves to Berne and Basle, and have also endeavoured to obtain members from Zürich, but have accomplished nothing as yet. They are giving out that they are pledged by their covenant to attack and injure nothing and nobody but churches and cloisters and the officials and people attached to them.'

The French general William von Fürstenberg, who was present in Frankfort, promised the Protestants the support of Francis I.,[1] and offered to supply them with '10,000 good fighting men.' The imperial ambassador in London received intelligence from the French plenipotentiary there that Henry VIII. was contemplating an alliance with the King of Denmark, the Duke of Prussia, the Elector of Saxony, and the Landgrave of Hesse, and that he was offering them all large sums of money to make war against the Emperor.[2]

The Catholic Estates also carried on active preparations during the Frankfort congress, in order to be ready for defence. Archbishop Albert of Mayence had gone to great expense during the Frankfort Easter fair to get his artillery into order. He intended to raise about 5,000 or 6,000 foot soldiers and 400 horsemen.

But an unexpected turn of things suddenly took place.

While the general preparations for war were going on, Philip of Hesse was taken seriously ill with syphilis, and on April 2 was compelled to leave Frankfort for Giessen, where he was to go through a cure.

It was this illness chiefly that hindered the outbreak

[1] G. Ribier, *Lettres et Mémoires d'Etat des Roys, Princes, Ambassadeurs et autres Ministres sous les Règnes de François I^er^, Henri II et François II*, i. 449.

[2] Chapuis to the Emperor, January 10, 1539, in Lanz, *Correspondenz*, iii. 303. '. . . offrant grande quantite de deniers, en cas quil fust besoing, soubstenir guerre contre votre m^te^.'

of war. Philip, who hitherto, as Luther wrote, had been raising a war scare and had been all agog to fight, now, to the indignation of Calvin, advocated peace. 'Contrary to all expectation,' wrote Calvin, 'the Landgrave has protested against war. Although he did not refuse to take the field if the confederates should be of a different opinion, he has nevertheless damped their ardour, for they relied chiefly on his enthusiasm and courage. As it now stands, things point to an armistice.'[1] For, as a great famine had broken out in Saxony and Hesse, and as, owing to Philip's illness, there was no suitable commander-in-chief available for the war, the Elector of Saxony also was coming round to Philip's opinion that it was best to agree to a truce.[2]

On April 19 the truce was concluded, and couched in the following terms: 'Between the Emperor and those who are believers in the Confession of Augsburg and the particular form of religion embodied in it a treaty of peace has now been ratified for the term of fifteen months, beginning from May 1. In addition to this the Peace of Nuremberg shall remain unaltered in substance and value, even after the lapse of the aforesaid term of fifteen months, until the date of the Diet which shall be held after the expiration of this fifteen months' truce. During the continuance of this truce all legal proceedings against the Protestants in the above-

[1] *Calvini Opp.* x. 330. 'Nunc ergo res ad inducias vergit.'

[2] On April 30 Bucer wrote to Ambrosius Blarer concerning the Landgrave: 'Quia pro indubitato habebat, repudiatis condicionibus belligerandum esse, se serio impeditum morbo, suos et Saxones fame, nec appareret, cui imperium belli committeretur, inclinare coepit, inclinantem impulit quidam, fregerunt etiam animum tam discordes aliorum sententiae. Saxo aliquandiu fortis erat, tandem vero, ubi perstaret in sententia Cattus . . . ipse quoque nutavit.' Lenz, *Briefwechsel zwischen Philipp und Bucer*, i. 78.

mentioned matters shall be suspended by special grace of the Emperor and for the sake of peace. On the other hand the Augsburg Confessionists promise on their part not to attack or make war on anybody, or to engage in other objectionable proceedings, on account of religion, and not to deprive the clergy of the tithes, rents, and other dues which they are still in receipt of. Also they promise not to invite any new members to join their league, nor to receive any into it during this space of time, as the Emperor on his part promises with regard to the Catholic League. With regard to the Turkish aids the Protestants are to come to an understanding with the other Estates of the realm and to be prepared to furnish whatever contingent shall be determined on at a Diet to be held at Worms on May 18.' In reality, however, the truce was agreed to for only six months. The Protestants on the one side demanded that the proviso by which the benefits of the Nuremberg Peace were limited to the present followers of the Confession of Augsburg should be done away with; the imperial ambassador on the other hand declared that the Emperor could not be bound over to prevent the extension of the Catholic League. For these reasons the validity of the Recess must be restricted at first to only six months, and the Emperor meanwhile must come to a decision on the disputed points. If he decided according to the wishes of the Protestants, the truce should then last, as before determined, for fifteen months; otherwise, at the end of the six months, the conditions of the Nuremberg Peace only would come into force again.[1]

[1] O. Winckelmann's *Politische Correspondenz der Stadt Strassburg im Zeitalter der Reformation*, ii. 601–603. 'Notula' of the friendly agreement ratified at Frankfort.

To these stipulations of a political nature there was added one which endangered the very existence of the Catholic Church, and which could not, therefore, be accepted by the Pope and the Catholic Estates.[1]

It was the universal opinion that no 'lasting peace' or 'real confidence' could be attained without a mutual understanding on matters of religion. Whereas, however, the Catholics desired to bring about such an understanding by means of a Council, the Protestants, 'discarding the Pope and the Council,' had aimed all along at 'an accommodation between the secular Estates and their theologians.' It was by means of religious conferences, carried on in the presence of the secular notables, who were to pronounce the final decision, that they sought to extinguish the schism.

The Frankfort 'agreement' was in harmony with this wish.

In the month of August, so this document decreed, delegates from all the different German Estates were to assemble at Nuremberg and were to form themselves into larger and smaller committees of learned divines and pious, peaceable laymen for the purpose of negotiating a religious accommodation. Imperial and royal plenipotentiaries were to co-operate with them. Whatever, then, was agreed upon and settled by the notables and delegates who were present was to be submitted to the opinions of the absent members, and if these gave their consent the resolutions were to be confirmed by the imperial orator, or the Emperor himself was to be asked to ratify them, possibly by means of a Diet.

'Since they did not recognise the Pope as the head of the Christian Church,' the Protestants said, 'they

[1] Dittrich's *Gasparo Contarini*, pp. 508–510.

would not mention his name in this agreement; nor did they consider it necessary that his orators should be present at the assembly.' The 'mediating' Electors of Brandenburg and of the Palatinate, however, softened matters down to the extent that it was to be left to the Emperor's option to inform the Pope of the conference and to leave it to his Holiness to decide whether he would send representatives to it.

'The imperial orator, the Archbishop of Lund, who had concurred in all this against the Emperor's orders, or rather had himself brought about the decision, was a splendour-loving mundane lord, who had not yet been consecrated to the priesthood, and of whom it was reported that he would gladly become secular lord of the bishopric of Constance, where he was bishop designate, and that he was minded to take a wife.'[1] The Archbishop had long since aroused well-grounded mistrust among the Catholics on account of his relations with the Landgrave of Hesse and Queen Maria, sister of the Emperor, who was in favour of the religious innovations; he was also supposed to have received bribes from the Protestants.[2] In Frankfort he assured the latter that the Emperor would confirm the resolutions in matters of religion upon which the Germans should agree, even against the will of the Pope.[3]

[1] Records for 1539. See above, p. 26, note 1.

[2] See the despatches in Laemmer, *Mon. Vat.* pp. 240–251; Raynald, *ad a.* 1539, Nos. 9–17. See v. Aretin's *Maximilian I.* i. 35–36.

[3] Melanchthon, April 23, 1539, in the *Corp. Reform.* ii. 700. The Strasburg delegates reported on March 21 that 'the orator, in a conversation with the Electors of Brandenburg and Saxony, had strongly advocated a full accommodation in religious matters, and also that those who were chosen for the committees should have plenary power to decide, and that whatever they decided should be confirmed by the Emperor and the Estates.' Winckelmann, *Polit. Correspondenz Strassburgs*, ii. 575.

In spite of the concessions that had been made, the more zealous preachers were by no means satisfied with the Frankfort agreement. As Calvin lamented that matters had not come to war, so Bucer complained seriously to the Landgrave of Hesse that the Protestants had given in too much at Frankfort from fear of the Emperor, from whom, after all, 'they had as little reason to fear war as from the King of Calcutta.' 'And what all the rest of them might attempt, apart from the Emperor, was not so very much to be dreaded.' He reminded Philip of the good fortune which had attended his expedition against Würtemberg, that 'great and precious work of Christian love.' And he went so far as to say that they had been guilty at Frankfort of robbery of the Church in that they had left the priests in possession of the Church property.[1]

Philip defended the policy of the Frankfort agreement in his answer to Bucer, but did not trouble himself about its stipulations.[2]

He had pledged himself with his co-confederates in this agreement to abstain from all violence against the clergy and not to deprive them of their possessions. But on May 18, only four weeks after the agreement had been signed, he forgot his promises, and, accompanied by about 2,000 men of every condition, he forced his way into the church of St. Elizabeth at Marburg, belonging to the Teutonic Order, where up till then the Catholic Church service was still held for the benefit of the Teutonic knights. After the preacher Adam Krafft had delivered a sermon, and administered

[1] Letter of May 28, 1539, in Neudecker, *Urkunden*, pp. 347–360; Lenz, *Briefwechsel*, i. 68–80.

[2] Lenz, *Briefwechsel*, i. 83–90.

the Lord's Supper in both kinds, Philip and his followers went into the commandery of the knights, and, as the district commander refused to surrender the keys, broke open the costly sepulchre of St. Elizabeth, who for centuries past had been piously venerated by the people as the patroness of Hesse. It was in vain that the commander, Wolfgang Schutzbar, entreated the Landgrave 'to spare the precious monument.' After a hole had been made in the bottom of the coffin, Philip tucked up his sleeves, thrust his hands in, and pulled out the venerated bones, saying: 'By God Almighty these are the relics of St. Elizabeth; they are my family bones. Come along, Aunt Els. This is my own ancestress, my lord commander. It's precious heavy; I only wish it was a load of gold crowns, but it's nothing but old Hungarian florins.' The relics were handed over to a servant, who stuffed them into a sack which he had by him and carried them off to the castle. 'If the dome of the church falls in,' the Landgrave said mockingly, whilst proceeding with his work of destruction, 'all the world will say that St. Elizabeth's relics have worked a visible miracle.'

'If the former commander were still alive,' he said to Wolfgang, 'he would have growled like a bear,' whereupon Wolfgang retorted: 'If growling were efficacious there would be some redress: but here we deal with downright violence.' The head of this saint also, with the heavy crown of solid gold, the gift of the Emperor Frederic II., was taken out of a shrine that was forced open, and carried away. The golden crown was seen then for the last time. The Landgrave, after first making an incision in the coffin, sent it to be tested by goldsmiths, and when it was found that

the bulk of it was copper overlaid with gold he abused the German *Pfaffen*, who had deceived the people.

The preacher Adam Krafft highly commended the proceedings of the Landgrave.[1]

But it was not the opinion of all of the advocates of the religious innovations that robbery of the churches was in accordance with the Gospel. 'To alter rites and ceremonies in churches is all very well,' wrote Georg von Carlowitz, the Duke of Saxony's Chancellor, and a decided enemy of the Pope, to Philip of Hesse, 'but whether it is consistent with religion to seize Church property I leave it to your Grace to consider; robbery is considered an injustice all the world over.'

In the Duchy of Saxony this question was brought to a decision soon after the conclusion of the Frankfort agreement.

[1] Rommel, ii. 177.

## CHAPTER XI

### THE PROTESTANTISING OF THE DUCHY OF SAXONY AND OF THE ELECTORATE OF BRANDENBURG

During the Diet of Frankfort the Protestants learnt the news of two deaths which seemed to them 'the most highly auspicious events that had happened for many years for the cause of the Gospel.' Duke Frederic, the last son of the Catholic Duke George of Saxony, died on February 26, 1539, and on April 17 Duke George himself died. As late as the previous day, though already feeling ill, he had attended to public affairs. After his evening meal he had taken a dose of medicine, which had been followed by violent pains. The next morning the priest read the Holy Mass in the Duke's sick-room and administered the Viaticum and Extreme Unction. George repeated the Lord's Prayer and the Ave Maria and the Creed of the Christian religion, and passed away quietly and peacefully with the words: 'Praised be the Lord in all His works.' The event caused great agitation among the inhabitants of Dresden, who entertained the not unnatural but nevertheless groundless suspicion that both the Dukes, Frederic and George, had been poisoned by the physician.[1]

[1] Letters of Cochläus, in Raynald, *ad a.* 1539, No. 18, and *Epist. Miscell. ad F. Nauseam*, p. 244. See Dittrich, *Gasparo Contarini*, pp. 513-514, and Spahn, Cochläus, p. 270.

Duke George of Saxony had distinguished himself above all princes of his time by truly enlightened piety, purity of morals, and conscientious fulfilment of duty in his office of ruler.[1] Immovable in his Catholic belief, he had from the very first opposed a firm and obdurate resistance to the revolutionary movement against the Church, and had endeavoured to keep far from his duchy all religious innovations. It had been his great desire that after his death also his country should remain true to the old Church.

The next heir was George's only brother, Henry, who since the year 1503 had ruled over the two Saxon domains of Freiberg and Wolkenstein as one independent principality. Henry was in every respect the opposite of his brother. While George, self-disciplined and serious-minded, was always actively engaged in the duties of his office, Henry evaded all business and gave himself up to the pleasures of the table. He had four regular meals every day. Whenever he travelled from Freiberg to Dresden he had two meals on the way. 'At his court at Freiberg,' says his secretary and biographer, Freydinger, 'it was just as it had been at King Arthur's court; open table was kept for all comers, and a great deal of immorality went on at the same time.' His councillors were often obliged to dog his footsteps for days and weeks together in order

[1] He deserved the epitaph composed for him—

'A man of honour, pious, brave,
He walked with Truth unto the grave;
A friend of peace and unity,
A pillar of Christianity;
Virtue's champion, vice's terror,
Loyal to both King and Emperor.

Kapp, *Nachlese*, iii. 381.

simply to get his signature. The inordinate pomp and extravagance of his court and the reckless expenditure of his wife, Catharine of Mecklenburg, plunged the whole country into debt.

Under the influence of the designing Duchess, 'a haughty, ambitious, and covetous woman,' Henry had been won over to the new doctrines and to the League of Smalcald. He confiscated all the Church property in his districts, and even refused at first to guarantee a yearly income or any other maintenance to the ejected monks and nuns. Again and again, but without any result, his brother had exhorted him to have nothing to do with the religious revolution, and to leave the clergy in possession of 'what had been bestowed on them by the benevolence of their ancestors and the contributions of the people.' It was astonishing to him, George wrote, that Henry should dare to usurp power over ecclesiastical personages and property not under his control; if his 'conscience compelled him,' it was enough that he should concern himself about his personal salvation; he might leave others alone.

In order to secure to his people the possession of the ancient faith, Duke George had drawn up a new will, in which, though he did not lay down any definite directions as to the succession (which, by the way, he was not entitled to do, either by imperial or provincial right), he nevertheless gave it to be understood that he hoped the Emperor would not bestow the fief on any apostate from the Church; all the other injunctions, moreover, were inserted, with a view to make it as difficult as possible for Henry to enter into possession. Meanwhile, before George had been able to give to this his last will and testament the authority of legal form,

before any of the measures planned for the preservation of the old faith could have been carried out, death suddenly overtook him. Scarcely had the government passed into the hands of Duke Henry when the latter, under the influence of the Saxon Elector, John Frederic, began preparations for introducing the new religion.

His son Duke Maurice had already, both in his father's and his brother's name, solicited the help of the League of Smalcald in the event of any attempt being made after Duke George's death to prevent their taking possession of the land or planting in it 'the Gospel and the divine word.' At the Congress of Frankfort, on April 10, 1539, he had received from the heads of the league the assurance that in such a case they would place 'their own persons and their goods, lands, and subjects at his disposal.' Maurice, on his part, had sworn that 'by the faith of his princely word, seal, and signature he would stand by the Confession of Augsburg till his death and would establish the dogmas contained in it wherever he held rule and authority; that he would suppress the papacy and all that was opposed to the Confession of Augsburg; and that he would remain a member of the Smalcald League so long as it lasted.'[1]

On the news of the death of Duke George unbounded joy prevailed at Freiberg. 'Some of the court people were ill at the time,' wrote the Duke's 'secretary, Freydinger,' and Anton von Schönberg, 'the most influential of the Duke's councillors,' was laid up with gout and unable to move; but this news restored them all to health again. 'Not enough horses could be found; many joined in the race who did not belong to the court. In short, it was a windfall for us; all who

[1] Von Langenn's *Herzog Moritz*, ii. 182–183.

were able to run did so, imagining that now our troubles were at an end.'

And now forthwith, under the protection and with the help of the Saxon Elector and the rest of the Smalcald confederates, there began in the duchy of Saxony the establishment of the new Church system and the suppression of the Catholics. He was convinced, Duke Henry declared, of the truth of the new doctrines, and insisted therefore that everybody should teach and recognise them. The Confession of Augsburg and the Apology for it were now the code of Christianity for the whole duchy. 'Every preacher,' the Duke enjoined, 'must teach that monastic vows cannot be kept without offence to God and the conscience.' Everybody ought to be thankful for the abolition 'of popish abominations and idolatry.' 'To the no slight joy of all right-minded people,' wrote the council of Berne to that of Basle on May 13, 1539, 'the duchy of Saxony has been snatched from the jaws of the Popedom.'

The Wittenberg divines urgently counselled resort to violence and coercion. Luther was indignant because more then 500 clergymen who were all 'poisonous papists' had not been expelled. Everywhere force was to override justice.

Bishop John of Meissen was also ordered 'to conform straightway to the Gospel,' although as a prince of the Empire he was a member of the League of Nuremberg, and although the Smalcald confederates had promised in the Frankfort agreement not to use violence against any one on account of religion and to leave the clergy in possession of their goods. 'There was no call for discussion,' Luther wrote at the begin-

ning of July 1539. 'Duke Henry as prince of the land and protector of the bishopric of Meissen must put down 'the abominable, blasphemous, popish idolatry,' no matter what means he used. 'Just as Duke George had wittingly protected the devil and condemned Christ, so Duke Henry on the other hand must protect Christ and damn the devil. The German princes must, as far as possible, make short work with Baal and all idolatry, as the Kings of Judah and of Israel had done in former times, and after them Constantine, Theodosius, and Gratian.'[1]

On July 14 inspectors appointed by the Princes informed the cathedral chapter of Meissen that 'by solemn orders of the Princes of Saxony they were forbidden any longer to celebrate the Mass in the cathedral church; they were to do away with the sepulchre of St. Benno and conform to the Protestant rites and ceremonies. The canons answered that they could not comply with these orders and that they intended to abide by the usages of the universal Christian Church; it was for the Bishop alone, not the secular princes, to make a visitation of the chapter. The foundation, being an imperial fief, had joined the Emperor's Christian league, and according to the decrees of Augsburg and other imperial mandates it was not allowed to introduce religious innovations. The result of this answer was that armed men, by command of the princes, forced their way into the cathedral church, broke into fragments the richly ornamented sepulchre of St. Benno, together with the altar, decapitated a wooden statue of St. Benno, and stuck it up as a butt for ridicule.

The Catholic form of worship was then abolished in

[1] De Wette, v. 191–192.

the cathedral and replaced by Lutheran services and preaching. These proceedings were called 'introducing the freedom of the Gospel.'

'And so,' wrote the Bishop to the Emperor, 'I am altogether robbed of and deposed from my cathedral church; my faithful priests are treated with ignominy and compelled to forsake their churches and to go away into misery.' When the Bishop complained to the Duke that he had not even been consulted with regard to the introduction of the new religion, he was answered that he ought to be satisfied at being allowed to carry on 'his godless papistical abominations and practices openly in his own residence,' the castle of Stolpen.

With regard to the university of Leipzig, which, under the rule of Duke George, had been one of the strongholds of Catholic teaching in North Germany, the Wittenberg divines summoned the Duke forthwith to depose every professor who did not at once subscribe to the Lutheran doctrines—that is to say, to respect and guard no rights, individual or corporate, nor any of the ancient honourable privileges of the university. The monks and sophists in the university, said Melanchthon, 'were blasphemers, and as such must be rigorously punished by the Christian rulers; if they would neither agree to the new doctrines nor keep silent, they must be driven out of the country.'[1] At Leipzig, Myconius wrote to the Elector of Saxony on June 21, 1539, 'the blasphemous popish abuses' had been done away with; he and Cruciger, in a disputation with doctors and monks, had won the victory over 'the devil and all his lying, blaspheming followers.'

[1] *Corp. Reform.* iii. 712, 713, 847.

The Catholic professors were removed. The condition of things that obtained after this in Leipzig is described in a letter of complaint from the university to the Duke. 'The preachers spare no trouble in their sermons to make the students and the whole university hated by the people: they abuse and deride philosophical and humanistic studies as pagan and diabolical, thereby setting the students against their instructors and their studies, and emptying and ruining the university; they revile the masters and doctors in the ears of the people as ignorant asses who understand nothing whatever of the Holy Scriptures, while they themselves all the time cannot pronounce three words in Latin.' [1]

The pulpit demagogues, who thrust themselves everywhere to the fore, went to such extremes in vilifying in the minds of the people the memory of the late Duke George and his friends, both clerical and secular, that in the year 1539 the provincial deputies, the knights, and the notables petitioned Duke Henry 'to put a stop to these calumnies and to have the offenders punished.' Two years later the notables lodged another complaint 'against such wicked invectives and slander of dead men.' 'The bulk of their preaching consists in reviling deceased and even living rulers. Some of them lead sinful lives, to the great scandal of the population.' [2]

Nowhere in the duchy of Saxony were there any signs of rejoicing over the new Gospel.

The Estates of the duchy, assembled at Chemnitz in the year 1539, made known their displeasure at not

[1] Winer, *De Facult. Theol. Evangel. in Universitate Lips. originibus* (Lipsiæ, 1839), p. 23.

Von Langenn, *Herzog Moritz*, ii. 104–110.

having been consulted with regard to such important ecclesiastical changes. They demanded that nobody should be molested on account of religion, and that the monasteries and convents that had not yet been attacked should not be abolished without their consent. With respect to the bishops they stipulated that, since they were their liege lords and blood relations, they should not be called upon to attack and besiege them. 'Whereas Duke George, with the help and counsel of the provincial Estates, had always kept his lands and subjects in submission, and in favour with the Emperor and King, and also in peace and well-being among themselves and with their neighbours,' they prayed that 'Duke Henry would in this respect follow in the footsteps of his brother, and that with the help of the Estates—not with that of people who did not share the burdens of the land—he would carry on the government in such a manner as to enable them to continue in their former state of peace and prosperity.' Henry was ready to meet them on some points, because he wanted their consent to his schemes of taxation, but he was indignant at being admonished to follow in his brother's footsteps and to imitate his constitutional, careful, and economical rule; and he replied that he would know how to keep himself free from blame without the example of any 'footsteps.'

Blamable in the extreme, however, was his court life from the moment of entering Dresden. The silver treasures found in the plate room of Duke George 'would, if coined,' Henry estimated, 'amount to 128,393 florins.' But even this sum did not suffice him. In the first three months only after Duke George's death

nearly 30,000 gold florins were squandered.[1] 'I have nothing good to write to you from here,' is the Count of Mansfeld's report from Dresden to Duke Maurice; 'and no parchment or cow's hide would be large enough to tell all that goes on in this place.' Churches and cloisters were plundered, and sacred vessels melted down. 'The court people were like gluttonous crows; everybody tried to get as fat as possible.' For the people, many and burdensome taxes were the sole fruits of the new Gospel and the new rule.[2]

On August 18, 1541, Duke Henry died. His son and successor, Maurice, followed 'in his father's footsteps,' with the addition that he showed even greater violence and disregard of all existing laws in his endeavours to exterminate the Catholic Church. He extorted unconditional submission from the Bishops of Meissen and Merseburg; for these two, he said openly, 'were too feeble to resist the House of Saxony.' Might only was to decide the question. The counts

[1] 'Nos in aula nostra,' wrote Joachim v. Heyden on August 9, 1539, to Johann Hafenberger, 'tam egregie pergrecamur, ut ab eo tempore, quo dux Georgius mortem obiit, plus minus triginta millia aureorum absumpserimus.' M. Denis, Codex Manuscr. Bibl. Vindobon. 1$^{b}$, 1302. See Döllinger's *Reformation*, i. 572, note 292.

[2] The Lutheran Arnold says, lamenting the squandering of Church property: 'Quam magnum detrimentum hac ipsa re Misniae allatum sit, *multae et maximae exactiones* populo post mortem Heinrici impositæ satis docuerant. Erant enim omnia monasteria, templa quoque in civitatibus auro et argento plena. Georgius quoque ingentem pecuniarum thesaurum reliquerat. Haec omnia si fideliter administrata fuissent, plurimum certe paupertatem populi temporibus necessariis sublevassent. Sed quia Heinricus ob aetatem suam infirmior erat, omniaque in suos familiares rejiciebat, accidit, quod omnibus principibus, sua vel curare nolentibus vel non valentibus, accidere solet, ut tum *unusquisque pinguescere studeat*, reipublicae commoda negligat, eoque vehementius, quo grandiores et magis edaces sunt aulici illi corvi.' Arnold's *Vita Mauricii*, p. 1161.

and the nobles who still observed the Catholic form of worship were threatened by Maurice with heavy punishment; the monks and the nuns who still remained in their cloisters were ordered to throw off the garb of their orders and to attend the services of the evangelical preachers.[1] It was said mockingly of the Catholics, who looked to the Emperor for protection: 'The papists build their hopes on the Emperor, as the Jews did on the Messiah.'

Almost at the same time that 'the Gospel light arose in the duchy of Saxony' the electorate of Brandenburg also joined the ranks of the Protestant territories, and one of the most zealous of its apostles was the Brandenburg Bishop Matthias von Jagow. In the year 1528 he had pledged himself by oath, not only to the Pope but also to the staunchly Catholic Elector Joachim I., 'to fight against the Protestant heresies, and to keep them out of his diocese.'[2] But in the very same year he appointed an evangelical preacher in the town of Brandenburg.[3] After the death of Joachim on July 11, 1535, he gave his sanction to the marriage of priests, and began administering the Communion in both kinds.

The Elector Joachim II., although he had long been secretly inclined to Lutheranism, had promised his father 'on his princely honour and loyalty—equivalent to a legally registered oath'—'to remain true to the Catholic faith and to preserve it intact within the Electorate.'

[1] Brandenburg, *Moritz von Sachsen*, p. 284 ff.

[2] '. . . observare volumus sub juramento . . . haereses purgare et ne ingruant, quoad possumus, obsistere.' Ph. Gercken, *Ausführliche Stiftshistorie von Brandenburg*, &c., p. 692.

[3] Schäffer, *Reformationshistorie der Stadt Brandenburg*, p. 71.

Also on his marriage with the Polish princess Hedwig, daughter of King Sigmund, in September 1535, he had taken the oath 'not to introduce any innovations in the faith.' But the Landgrave Philip of Hesse sought to persuade him that he must disregard this oath, for the sake of his soul's salvation; for it was 'going against God to remain in the Roman Church, which teaches doctrine manifestly opposed to God.' In spite of his oath he was bound to 'start Christian innovations in his country,' and if he was told that in so doing he was acting contrary to the duties he had taken on himself he must answer: 'I care nothing for Luther, but I allow the Gospel to be preached and disseminated; I have not pledged myself not to believe or to follow the word of God.' The Landgrave promised the Elector that if he allowed the 'Gospel' to be propagated he would 'serve him with person and purse.' 'We have all of us,' he wrote, 'fixed our hopes on your Grace; do not let these hopes end in smoke.'

Joachim was playing a double game. To King Ferdinand and Duke George of Saxony he made earnest protestations of his Catholic belief; to the Landgrave Philip, on the other hand, he wrote on April 24, 1537, that 'he would not let himself be frightened by anybody' and that 'he would establish Christian ordinances in his territory which would give pleasure to the Landgrave.'

It was not till the year 1539, however, after the conclusion of the Frankfort agreement and the death of Duke George of Saxony, that the Elector embarked on the execution of his plans. He then, as Calvin wrote to Farel in November 1539, informed the Landgrave that 'he had now made up his mind to accept the Gospel and

to exterminate popery.' 'And so,' said Calvin, 'no slight gain has accrued to our side.' [1]

In the year 1540 Joachim, in his own arbitrary might as reigning bishop, issued a new code of ecclesiastical regulations, which he insisted should be recognised as authoritative for the Church of the Mark. In this code the 'ceremonies and good customs' were as far as possible retained; even the Latin Mass 'in the usual Church vestments,' and the elevation of the Host and chalice; also several festivals of saints, in especial those of the 'blessed Mother of God.' It was decreed that no meat was to be eaten during the forty days' fast, under pain of punishment. Solemn processions were to take place as before; the clergy, when they took the Sacrament to the sick, must wear white surplices, and the sacristan must go before carrying a taper and a bell. All these 'ceremonies' were to be continued in order that 'the people should be as little as possible shocked or perplexed.' The people were not to be allowed to perceive that the Catholic Church system was being taken from them.[2] When some of the

[1] *Calvini Opp.* x. 431. Fr. Hipler et V. Zakrewski, *Stanislai Hosii S. R. E. Cardinalis Episcopi Varmiensis et quae ad eum scriptae sunt Epistolae*, &c. &c. i. 84. Herdemann's *Reformation in der Mark Brandenburg*, pp. 212 ff.

[2] Very pertinent is the remark of Droysen, *Geschichte der preussischen Politik*, 2, 188–189: 'Since one of the objects aimed at in the *Kirchenordnung* was the concealment of the profound alteration which was taking place in the constitution of the Church in the Marks, it is easy to understand that the masses of the population, especially the poor people of the lowlands, did not at all realise what was going on.' Joachim himself denied that he had, through his *Kirchenordnung*, introduced the new doctrine into his territories: he maintained that he still stood on the footing of the old Church, having simply abolished some abuses that had crept in, and that he was only intent upon establishing good order in religious affairs (Brandenburg, *Moritz von Sachsen*, i. 99). As a matter of fact Joachim, by his *Kirchenordnung*, constituted himself *summus episcopus* throughout his dominions. See Bezold, p. 690.

preachers complained of the numerous ceremonies left intact, the Elector said 'he did not intend to be bound to the Church of Wittenberg any more than to the Roman Church.' 'My Church here in Berlin and Cölln,' he said, 'is just as much a genuine Christian Church as that of the Wittenbergers.'

Luther by no means approved of the whole of these Church regulations, but he advised the preachers not to oppose the 'ceremonies.' 'If the Elector is willing to let the Gospel be preached in its truth and purity, without human additions,' he wrote to the preacher Buchholzer, 'then in God's name walk about in the processions to your heart's content, and carry silver or gold crosses, and wear surplices and choir vestments of velvet, or silk, or linen. If the Elector is not content with one surplice or one choir vestment, then put on three. If he is not satisfied with one procession, then walk round seven times, as Joshua did with the children of Israel, shouting and blowing trumpets.[1] Let the Elector too, if he be so disposed, lead the way, jumping and dancing, with harps, kettledrums, cymbals, and bells, as David did before the ark.'

Luther did not think much better of Joachim than he did of his court and cathedral preacher, John Agricola of Eisleben, the 'Meister Grickel' with whom he had long carried on theological controversies. 'Meister Grickel,' said Luther in December 1540, in a letter to Jacob Stratner, Agricola's colleague, 'could compete with any mountebank; my advice is that he should give up the office of preacher for good and all, and hire himself out as a harlequin; he is worth nothing as

[1] De Wette, v. 235.

a teacher. We are delighted to have got rid of this conceited, ridiculous man.' 'As is the prince so are his priests. Great fools must have great bells. Their minds and their morals agree well together.' [1]

Joachim demanded unconditional obedience to all his Church doctrines and ordinances. 'Should any one,' he announced, 'be so self-opinionated as to refuse to conform to this Christian ordinance, he shall be graciously permitted to betake himself to some other place where he may do as he likes.' Neither did he trouble himself at all about the opinion or consent of the Estates, but arrogated to himself the whole sum of ecclesiastical power. For it belonged to his office 'to administer right and justice everywhere, not in secular affairs only, but also in things spiritual; and also to issue ecclesiastical regulations for the maintenance of discipline and order, without requiring the consent of the provincial Estates.' By means of his clerical officials, his 'clerical police, inspectoral and consistorial organisation,' he also strengthened his sovereignty in secular departments. With regard to the bishoprics of Brandenburg, Lebus, and Haveberg, he made the following agreement with his brother Hans at Köpnick: 'The bishops of these three dioceses were to be left in the enjoyment of their offices and revenues until their deaths, when their successors were to be chosen either from the princes or from the near kinsmen of the electoral house, so that the episcopal dignity and the bishoprics might gradually fall into the hands of the sovereign princes.' [2]

On the occasion of an inspectoral visitation of

[1] De Wette, v. 320–328.

[2] Droysen, $2^b$, 185–188; Müller's *Reformation*, pp. 296 ff.

churches, schools, and cloisters in 1540–1541, there were found to be multitudes of preachers who were carrying on some handicraft as their chief business. Tailors, masons, tanners, and other artisans filled the office of pastors in towns and villages. Journeymen, who in the course of their wanderings had heard Luther preach, had learnt his catechism, had dipped into the Bible, now set themselves to instruct the people. Luther, who was applied to for preachers from many different parts, 'ordained' printers' journeymen and gave them instructions to read his printed sermons to the people.[1]

The Catholic prelates and clergy sent in a petition to the Elector begging that he would at least grant toleration to them and the monks and nuns, and leave them all free to attend Mass according to their wont, and compel nobody to receive the Communion in both kinds. Formerly all the world used to declaim that bishops, prelates, priests, and monks ought to preach, for this was their business; now, however, they were forbidden to preach, 'which was very lamentable; for whereas nobody was allowed to preach, write, or teach in opposition to the new doctrines, the Protestants had gained ground and won the game.' If the towns wanted Protestant preachers they ought to pay them themselves, and not take their salaries out of the revenues of the ancient Church. In defiance of all charters and seals they robbed the bishops of their jurisdiction, and without the knowledge or consent of the latter appointed clergymen of their own choice. 'Shoemakers, weavers, smiths, and others presume to celebrate the Holy Mass and to preach; men who have

[1] Müller's *Reformation*, pp. 208 ff.

not authority to consecrate administer the Sacraments ; and this surely is pure idolatry.' [1]

The petition had no effect. All the clergy, both secular and religious, who refused to conform to the Elector's innovations were expelled without pity. In the year 1540 Joachim, so one of his eulogists boasts, 'drove all the herds of sacrificial priests out of the cloisters and cleansed the Mark from monkish pollution.' [2]

The property of churches and cloisters and other religious institutions was either confiscated or mortgaged to nobles or to towns. The poor folk alone remained empty-handed, here as in other places, in the partition of the booty, and were laden into the bargain with heavy taxes ; the peasants succumbed to the extortion of the landlords and lapsed gradually into slavish bond service. In a code of hunting regulations the Elector rigorously decreed that 'whosoever caught a young deer, or roe, or a wild sow in the forests should have both his eyes put out.' The Elector's extravagance and love of splendour, his frequent hunting expeditions, horse races, and wild beast fights, together with his passion for

[1] *Der Prelathen und geistlichen Artickel*, A.D. 1540, in Winter, *Die märkischen Stände*, xix. 306–307. Winter himself (pp. 268–269) does not deny that the grievances are well founded. 'The Catholics of Brandenburg,' he says, 'were forced by circumstances to adopt the platform of absolute toleration : their aim is to permit each individual to receive Communion, according to his conscience, under one or under both kinds.' But, nevertheless, he adds : '*Naturally enough* this petition could in no wise affect the course of things. *The ancient right had been once for all rescinded by the new doctrine ; and it would have been an injustice to endeavour to sustain it in the changed condition of affairs.*' This is certainly an odd sort of reasoning.

[2] 'Ex monasteriis sacrificulorum greges ejecit et Marchiam a monachorum impuritate liberavit.' Leutinger, in Krause, p. 168.

gambling, his buildings, and his mistresses, cost incalculable sums.[1]

On the death of Joachim I. the finances of the Mark had been found in a satisfactory condition; but by the year 1540 the debts of his successor had already mounted up to at least 600,000 thalers, which sum the provincial Estates were expected to pay. 'Such an accumulation of debts,' said the Estates, 'had never occurred under former rulers, who had taken counsel with their Estates; they begged that his Electoral Grace would follow the example of his predecessors and not settle affairs with merely two or three advisers, and then throw the burden on the country; if a change was not made in the mode of government, the Estates would be ruined.' The towns undertook to pay about 400,000 florins of those debts, for which purpose the Elector empowered them 'to seize the Church treasures' in order to raise money quickly; the landed proprietors, in return for promised help, were authorised to buy up some of the peasants. Fresh taxes were imposed.

'The great impost—' ah, God have pity!' laments a contemporary—'came simultaneously with the visitation of the churches: the tax on the pound for every house in the towns; the tax on incomes; the tax on every hide of land for the country people. Some of the villages in the Altmark declared that they could not and would not pay the tax, even if their disobedience

[1] 'He spent enormous sums on lions, bears, bulls, wolves, and other animals. These were set to fight against each other, and thus they afforded the country a costly and inhuman form of amusement.' G. T. Gallus, p. 88. The Elector surpassed all the princes of Germany in his passion for alchemy. 'It was calculated that in little more than ten years there were eleven alchemists at his court, who squandered immense sums.' Voigt, *Fürstenleben and Fürstensitte*, p. 344.

should cost them their lives; or their landlords must remit their ordinary rents.'

In the year 1541 fifty members of the lower nobility, who owned no land, joined together in a vehement protest; the terrible taxes, they said, would bring them to beggary. 'This impoverishment of the country, this lamentable misery which had come about without war, insurrection, or other adequate cause,' was occasioned by certain persons who 'enriched themselves by the ruin of the land;' 'the great people who are causing all this evil live in great wealth, devour money, land, and people, and feed on the sweat of the poor.'

Six years had passed by since the death of the Catholic Elector Joachim. 'God have pity on us people of the Mark,' said the nobles, 'who have become so blinded; it has come to this, alas! that in these last six years we have grown to be a laughing-stock to all other countries.' In the following year at the provincial Diet it was insisted that all the property, salaries, and houses that had been squandered should be given back. 'Shall we go on slumbering like this? Let us wake up and take council together before we sink to the bottom of the abyss; it is high time to bestir ourselves; we are looked on with scorn and derision by all other countries.' The Elector answered with menacing language: at former Diets, he said, 'certain ill-advised and ill-behaved people had used all manner of unseemly language against himself and his councillors —yea, verily had addressed anonymous writings to them of a scurrilous character, and had held gatherings of a forbidden nature: for these offences he would cause them to be tried and punished.' The country people have lost all confidence in your Grace, said Councillor

von Schlieben to the Elector: not one will go bail for another or engage in legal transactions.

Mortgages increased in number from year to year. The monasteries of the Dominican and Barefoot monks, for instance, were made over to the magistrate of Brandenburg 'in payment of the Electoral debts'—that of Boitzenburg, with all its possessions and title-deeds, to the bailiff Hans von Arnim: while the monastery of Krewesen was passed over to that of Lüderitz for the sum of 1,500 florins, and afterwards by exchange to that of Bismarck.

But neither the confiscated Church property nor the taxes imposed sufficed to satisfy the Elector's need of money. Joachim accordingly fell back upon the Jews, who had offered to pay him a yearly sum of 400 florins for his protection, and to deposit 3,000 marks of fine silver in the mint, and admitted them into his territory.[1] The Jew Lippold became the most influential man at the Electoral court, Joachim's trusted servant, and chief controller of his mint. In obedience to the Elector's orders the different parishes were obliged to deliver up all the Church treasures called for by the master of the mint: monstrances, chalices, and other costly articles all found their way into the mint. Lippold acquired immense wealth and so commanding a position that the most distinguished functionaries of State became solicitors for his favour and support. He lent money on mortgages at 54 per cent. Within a few years the Elector had accumulated a fresh debt of 800,000 florins and 100,000 florins of accumulated interest.[2]

[1] Agricola, who became the champion of the Jews in his sermons, fell under the suspicion of taking bribes from them. Kawerau, p. 227.

[2] Winter, *Die märkischen Stände*, xix. 259 ff. and xx. 508. 'A consequence of the sales forced on the farmers was the growth of a country

'There was nothing but grumbling among the clergy and the laity, and the people became more and more demoralised.' When the superintendent-general, Agricola, held a general visitation eighteen years after the public inauguration of the new Church system, he found the clergy ignorant and coarse. The patronage of livings was for the most part in the hands of a set of nobles who, as the Elector complained, only appointed 'stupid,' ignorant asses 'to the ministry,' only such people as made presents to the nobles of 'pickings from churchyards, meadows, rents,' &c. 'The nobles and the burghers,' wrote Agricola, 'both endeavour to reduce the incomes of the pastors; the greater numbers of the Gospel ministers have, alas! no other motive for preaching than to earn their tithes; beyond this they care nothing; and the extent of their studies is what they pick up about the Gospel from the peasants in the alehouses. The few well-educated pastors are altogether depressed by this state of things, for they see plainly that no good will come of it all, and that princes and nobles think of nothing else than getting the property of churches and cloisters into their own hands.[1]

At the same time at which the Elector Joachim established his new Church system the archbishopric of

proletariate which, as early as 1550, began to flood the towns and became a burden on the poor rates. Other causes of the general distress were the high taxes, the utter depression of trade, and the insecurity of the highways' (p. 515). The towns complained that 'much was wanting in the churches; stipends were urgently needed, the country was so impoverished that not twenty families were able to maintain their children' (p. 670). The public currency was in such a miserable condition that, as the Elector himself averred, 'in a few short years the value of our coinage has become reduced to a fourth part, and truly our invasion of the country, fires, and other calamities were easier to bear than this depression of the currency.' Winter, xx. 578.

[1] Kawerau, p. 241; Gallus, p. 40.

Riga was brought round to Protestantism by the agency of another member of the House of Brandenburg. The Margrave William, brother of Duke Albert of Prussia, had been elected Archbishop of Riga in the year 1539, but had refused to accept episcopal consecration or put on the habit of the order, because he was secretly attached to the new doctrines. On being pressed by the prelates, the Order, and the Estates of Livonia to permit himself to be consecrated, he turned to his brother Albert for advice. Albert applied to Luther and Melanchthon, on August 13, 1540, for an opinion as to whether or not the Margrave, in order to be serviceable to the cause of the Gospel, could conscientiously receive consecration and take the oath of allegiance to the Pope. Luther answered that 'the Duke must be of good courage and help valiantly in putting a final stop to the worship of the devil at Rome, and in preventing any one from receiving confirmation from him. For the papacy was near its end.

'We see that no one is taking his part, and that he himself feels this, although many kings are posing as if they wanted to help him, but yet they do not do it. This is the will of God, for the time of his end is at hand. Therefore let your Graces proceed to business and either have the Archbishop of Riga elected and confirmed by the chapter or else allow him to be, under the title of Bishop, a perpetual "Electus" or "Adjutor" until the waters subside.' Albert, however, was of a different opinion. 'The chapter, the knights, and the senate,' he wrote to Luther, insisted so strongly on consecration and papal confirmation that his brother would not be able to get off 'accommodating himself to this mummery,' and he might do it quite conscientiously

in order to be in a position to help on the spread of 'the Gospel.'[1]

The 'mummery' gained the day.

Of all the princes of the House of Brandenburg the only one who still took the side of the Church in public matters was Cardinal Albert, Archbishop of Mayence and Magdeburg and Bishop of Halberstadt. But throughout his long tenure of office he had never rendered any service to his religion either by zeal for the faith or by pious living, or by care in appointing true spiritual shepherds over his people. On the contrary he had always sought to excel the secular princes in pomp and luxury, in brilliant court festivals and spectacles. By his 'more than royal expenditure,' his rage for building, his patronage of the arts, his munificent rewards to panegyrists, he heaped debts upon debts. At a provincial Diet in 1541 the deputies of the bishoprics of Magdeburg and Halberstadt promised to contribute half a million florins towards the payment of these debts, if the Archbishop would give them leave to organise their religious worship and Church system according to their own taste. Albert took the money and granted the permission.[2] In April 1544 he concluded an agreement with Duke Maurice of Saxony, the inevitable consequence of which could only be to sacrifice the bishoprics to the new system of territorial churches. He promised the Duke to exert himself actively to procure for his (the Duke's) younger brother Augustus 'the coadjutorship, with right of succession, in Magdeburg and Halberstadt,' and for Maurice himself 'the hereditary protectorate and secular government over

[1] De Wette, v. 308–309.

[2] Seckendorf, iii. 372. He adds: 'nihil constat de expresso pacto; a formal contract was naturally not made. See also Ranke, iv. 118.

both the bishoprics.' For the first of these services he was to receive 40,000 florins, for the second 15,000 thalers.

In order to show 'due respect' to the outgoing coadjutor, Margrave John Maurice of Brandenburg-Culmbach, and to the cathedral chapter, Maurice gave an additional sum of 80,000 gulden.

It was only at his place of residence, Halle, that Albert insisted that the Catholic worship should be preserved unimpaired. But for many years past he had been 'altering or destroying' everything there which had kept the inhabitants firmly attached to the faith and traditions of their fathers. He had pulled down the old churches and cloisters, and used the stones for his new buildings, 'to the no slight scandal and embitterment of the people,' says a Catholic contemporary, 'and to the ruin of divine worship.' 'Half Halle was overthrown by the Cardinal.' After a tumultuous rising in the place the new religion was introduced into Halle, and without resistance Albert allowed it to have free play. He transferred his residence to Mayence.

In the archbishopric of Mayence also, especially in the Eichsfeld, the new doctrine was disseminated under Albert. Its most active propagandists were a section of the Church nobility who, wherever they had the right of Church patronage, thrust in preachers who were often inducted with the aid of 'spears and muskets.' The nobles took upon themselves, says a later archiepiscopal report, 'to use violence in gaining over the churches of the Eichsfeld; they ruled them also with violence, forcing strange preachers on them and resorting to all manner of offensive methods for getting possession of Church property and for compelling the poor country people to give up the Catholic religion.'

## CHAPTER XII

MILITARY PLANS OF THE SMALCALD CONFEDERATION—BIGAMY OF THE LANDGRAVE PHILIP OF HESSE—MORAL CORRUPTION IN HESSE

In the Frankfort agreement of April 19, 1539, the Smalcald confederates had promised 'within the next six months, pending the Emperor's answer, to receive no new members into their league.' But already on June 16 Philip of Hesse was endeavouring to persuade the Saxon Elector to hold an interview with his brother-in-law Duke William of Jülich-Cleves with regard to the admission of the latter to the confederacy.[1] The question of this interview had already been discussed at Frankfort, and Calvin had been delighted at the prospect of gaining so powerful a prince as the Duke of Cleves for 'the kingdom of Christ.'[2]

Duke William himself was anxious for alliance with the Protestant princes, because, regardless of the claims of the Emperor, he had taken possession of the duchy of Guelders, and was consequently threatened

[1] Lenz, *Briefwechsel Philipp's mit Butzer*, i. 84, note 2.

[2] 'Saxo ab hoc conventu Clivensem conveniet, cuius sororem habe, in matrimonio. Si ad suspiciendam religionem illum adducere poterit magnum erit regni Christi incrementum. Siquidem hodie non habet inferior Germania potentiorem principem et qui latius dominetur: net superior etiam, excepto uno Ferdinando, qui amplitudine ditionis tantum superat.' Calvin to Farel, *Opp.* x. 330.

with a war with the Emperor.[1] He now entered into negotiations for an alliance with King Henry VIII. of England, who had sued for the hand of his sister Anna.

On November 6, 1539, the Landgrave Philip proposed to the Elector of Saxony that they should surprise Duke Henry of Brunswick, the chief opponent of the Smalcald League, with an army of 24,000 men. This expedition was to be the joint enterprise of all the members of the League. The religious attitude of the Duke, his quarrel with Goslar, and other such matters, it was urged, would furnish adequate pretexts for gaining over the other confederates to the idea, even though they should hesitate and hold aloof for a while. In Brunswick it would be enough to take possession

[1] Duke Charles Egmont of Guelders by his letters and seal had promised the reversion of his duchy to the Emperor. Notwithstanding this promise, which was first made in 1528 and again renewed in 1536, Charles made a formal donation of his land to Francis I., King of France, and a French deputy received the oath of allegiance from the officers in command of the fortresses. But, unwilling to pass under foreign domination, the notables of Guelders threw off the rule of their duke, and bannerets, knights, and towns asked Duke John of Cleves if he would take possession of the land of Guelders, protect it from violence and injustice, and hold it as part of the Empire. By a treaty of 1538 Duke William, John's son and heir, was to have the principality of Guelders, the county of Zütphen, and other possessions, and to hold them 'undivided, for ever.' In July of the same year Duke Charles of Guelders died, and Duke William at once occupied the land. William's father died in February 1539, and William succeeding him to the duchy of Cleves became one of the most powerful princes in the Empire. The Emperor, however, did not mean to give up his own. To an envoy from Cleves who quoted some saying of the Emperor Sigismund in favour of his master's pretensions to Guelders he (Charles V.) answered: Other sayings were against him; at any rate the Duke ought not to have possessed himself of the land without going through the legal proceedings; he could and would not hear it; let those in Cleves remember that to retain the duchy of Milan for the Empire he had waged war with France. (Reports of Carl Harst to Duke William, in Ranke, iv. 129.)

of the open country, and leave the capture of the fortresses to the neighbouring towns, to Lüneburg, Goslar, and others; with the main division of the army they could forthwith proceed to invade the archbishopric of Bremen, in order to punish the Archbishop, the Duke's brother.

The Elector was by no means disinclined to commit this breach of the Public Peace, but he was anxious first of all to have a personal conference on the subject with the Landgrave at a meeting of the League which was to be held at Arnstadt. In an undertaking such as Philip proposed he could not, he said, leave the Archbishop Albert of Magdeburg at Halberstadt 'in his rear;' he would invite his brother-in-law, Duke William of Jülich and Cleves, to a conference at Paderborn before Christmas.

Towards the end of the month Philip made the following proposals to the Elector: He would range himself on the side of the Duke of Cleves; he would also give assistance to the Elector 'if the latter should want to prosecute his Madgeburg business and the others refused to help him with it.' He would go so far even as to help him to the imperial crown in the event of his wishing for it. The proposal written down in Philip's own hand runs as follows: 'If it should happen that, either owing to death or other changes in circumstances, or to a war of religion by which we gained the mastery, there should be question of choosing another ruler, he will find me disposed to further his cause with all diligence.'[1]

Philip required the support of the Elector in order that he might come off scot-free from a crime which,

[1] Lenz, *Briefwechsel*, i. 356.

according to all the ancient laws of the land, was punishable with death.

Already in the year 1526, at the very beginning of his religious innovations in Hesse, Philip had been entertaining the idea of a double marriage. Luther, to whom he had appealed at the time to know whether a Christian might have more than one wedded wife, had answered that the 'ancient fathers' had certainly sometimes had several wives, but only out of necessity; 'but when there was no necessity or reason for it the ancient fathers had not had more than one lawful wife, as, for instance, Isaac, Joseph, Moses, and many others of them.' 'Therefore I cannot advise the step in this case, but must rather object to it, especially among Christians, unless the case be one of great necessity, as, for example, if the wife have the leprosy or be otherwise rendered unfit. In the case of non-Christians I know of no objection.' [1]

Since that time Philip had lived in uninterrupted adultery and lasciviousness. On his own confession he had at no time been faithful to his lawful wife for a period of three weeks. In consequence of his excesses he had in the year 1539, as we have already seen, brought upon himself a shameful distemper. It was during this illness that he matured the plan not only of contracting a second marriage himself, but of legitimising bigamy throughout his principality.

For a long time he had indulged in an illicit attachment to Margaret von der Sale, a maid of honour

[1] Luther's letter of November 28, 1526, in Heppe's 'Urkundliche Beiträge zur Geschichte der Doppelehe des Landgrafen Philipp von Hessen,' in Niedner's *Zeitschrift*, p. 265. See De Wette and Seidemann, vi. 79–80.

in attendance upon his sister Elizabeth, the widowed Duchess of Rochlitz, and this lady was now to become his 'second wife.' Margaret's mother had been won over to the plan, with the stipulation, however, that she herself with her brother Ernest von Miltitz, besides Philip's own wife, Christina, and the divines Luther, Melanchthon, and Bucer, or at any rate two of them, and also the Elector of Saxony and Duke Maurice of Saxony should all be present at the wedding. The last two might have the option of sending a trustworthy councillor to represent them. The Landgrave had agreed to these conditions. Through the intervention of the Augsburg physician, Gereon Sailer, he had obtained, in November 1539, the consent of Bucer, and the latter was now commissioned to persuade Luther, Melanchthon, and the Saxon Elector to look favourably on the proceedings.

'Bucer is of opinion,' Philip wrote to Frau von der Sale on December 1, 1539, 'that while public affairs are in such an abnormal unsettled state it would be well, for the sake of some of the weaker Christian brethren, to whom offence might otherwise be given, that this marriage should be kept secret for a little longer, until the preachers shall see their way better to making it known to the people. But at the same time he fully expects that Luther, Melanchthon, Bucer, and others will give their consent in public writing (Bucer anonymously). I have not said a word to him of your daughter, however.'[1]

On his journey to Wittenberg on December 3 Bucer again begged the Landgrave by letter to keep the matter quite secret, in order that 'all might be done to

[1] Lenz, *Briefwechsel*, i. 354.

the glory of God and no unnecessary offence given anywhere. May the Lord Jesus give you His grace. Amen.'[1]

Bucer received from the Landgrave a letter of instructions to the Wittenberg theologians, in which, among other things, Philip said 'he was living in adultery and sin, and that if he were called upon to fight for the cause of the Gospel he should do it with a bad conscience and under great fear lest he should be slain in the midst of his sins and go straight to the devil.' In order, therefore, to be released from the snares of the devil' he now wished 'to take to himself another wife in addition to the one he already had.' He begged of Luther and Melanchthon to help and advise him in this matter, in order that 'he might live and die with a happy conscience, and also that he might be in a position to labour for the Gospel in a freer and a more Christian manner.' What he desired was not, he said, opposed to God's commandments, for 'neither God in the Old Testament nor Christ in the New Testament, nor the prophets or apostles had ever forbidden a man to have two wives; nor had any king or prince been chastised by any prophet or apostle, or looked upon as a sinner who could not inherit the kingdom of heaven, because he had more than one wife. Paul also had enumerated many kinds of transgressors who could not inherit the kingdom of God, but of those who had two wives he had made no mention.' 'Paul says clearly that a bishop must be the husband of one wife, and likewise the deacons. Now if it had been essential that every man should have only one wife he would have laid down this commandment

[1] Lenz, *Briefwechsel*, i. 119.

also, and would distinctly have forbidden all men to have more wives than one.'

In order to prepossess the Wittenberg divines more favourably in his cause, Philip told them that he was aware that they had advised the King of England not to get divorced from his first wife, but to marry another one in addition.[1]

Philip had had three sons and four daughters by his wife, but he said that unless he had another wife besides he could not refrain from violation of his marriage vows. Luther and Melanchthon must give him the assurance, if not in public print at any rate in a written statement, that he would not be sinning against God if he secretly contracted a double marriage; also 'that they considered it a genuine marriage and would meanwhile consider as to ways and means of bringing the matter openly before the world.'

If he did not get any help from them, he added in a threatening tone, he would find some one to advocate his case with the Emperor himself, let it cost what it might. 'I have little doubt but that if I pay certain imperial councillors good round sums of money I shall get anything out of them that I want.' He would certainly not fall away from the Gospel, he said, or do anything prejudicial to it, but he might be of use to the

[1] Melanchthon in his memorandum *De Digamia Regis Anglie* of August 27, 1531, had written as follows: 'Si vult rex successioni prospicere, quanto satius est, id facere sine infamia prioris conjugii. Ac potest id fieri sine ullo periculo conscientiae cujuscunque aut famae *per polygamiam*. Etsi enim non velim concedere polygamiam vulgo, dixi enim supra nos non ferre leges, tamen in hoc casu propter magnam utilitatem regni, fortassis etiam propter conscientiam regis ita pronuncio: tutissimum esse regi, si ducat secundam uxorem, priore non abjecta, quia certum est, *polygamiam non esse prohibitam jure divino*.' *Corp. Reform.* ii. 526. See also *Zeitschr. für Kirchengesch.* xiii. 576.

imperialists ' and assume obligations in other secular matters which might not be advantageous to the cause of the evangelical party.' [1]

Philip was most anxious to get the consent of the divines, because Margaret's mother refused to give her daughter to him without it. But it was evidently also his intention to make the heads of the new Church system participators in an action which by the laws of the Empire was one of the greatest of crimes. It was imperative also to win over the Elector of Saxony, in order to make sure of his diplomatic and military assistance in case of a declaration of war on the part of the Emperor. It was for this reason that Philip made such specious promises to the Elector with regard to the Duke of Cleves, the archbishopric of Magdeburg, and a future imperial election.

The appeal of the Landgrave threw Luther and Melanchthon into great perplexity, and cost them bitter struggles of conscience. In their answer on December 10, 1539, they began by expressing their delight at the Landgrave's recovery from his dangerous illness ; ' for the poor unfortunate Church of Christ is small and forsaken and needs truly pious rulers and lords.' With regard to his question the first thing to be considered was ' that there was a great difference between making a general law and granting a dispensation (in conformity, of course, with the divine will) in a particular case, for urgent reasons.' To make it a general law ' that every man should be allowed to have more than one wife ' was out of the question, because such a measure would cause endless disturbance in all married life. They therefore humbly begged Philip first to be

[1] *Corp. Reform.* iii. 851–856.

very careful in every way to prevent this matter from coming openly before the world in the light of a law that all men were at liberty to profit by; and secondly, whereas it was not a law, but only a dispensation, to remember and consider the offence that might be given by the enemies of the Gospel crying out that they (Luther and Melanchthon) were as bad as the Anabaptists, who approved of polygamy, and that the evangelicals were anxious for freedom to have as many wives as the Turks. The Landgrave ought to guard himself most earnestly against adultery and unchastity. 'If, however, your Grace cannot give up your sinful life, as you write to us, we would rather that you should be placed in a better position before God and that you should be enabled to live with a good conscience.' If Philip was determined 'to have another wife, we are of opinion that the marriage should be kept a secret—that is to say, that only your Grace and the woman in question, with a few other trustworthy persons, should know about it, and that they should be bound over under seal of confession to keep the secret. This would prevent all slander and offence.' 'But at the same time no heed should be paid to what people say, when the conscience is at ease: and we hold this to be right. For what is sanctioned by the law of Moses with regard to marriage is not forbidden in the Gospel. Thus your Grace has not only our certificate in case of need, but also our admonition.'

In conclusion Luther and Melanchthon warned the Landgrave most emphatically not to let the matter come before the Emperor. For 'pious German princes must have nothing to do with the treacherous dealings

of the Emperor,' who was 'a false perfidious man and encouraged mutiny in Germany.'[1]

The utter invalidity and impossibility of a second marriage during the continuance of the first was nowhere alluded to in this document.

The answer which Bucer received from the Saxon Elector ran as follows: 'The Landgrave would do well to bring his great intellect to bear on the matter and to consider all the trouble that would result from such a step, and also to call on the Lord to help him to overcome the temptation and to be satisfied with his good and pious wife, Christina; at any rate he advised him not to hasten on the matter. If, however, he could not pursue this course, the Elector would take up the same attitude as the theologians, and would faithfully help and support the Landgrave.'

Without waiting for the answer of the Wittenberg theologians, Philip had settled the matter with his wife Christina, on December 11. He obtained leave from her by unworthy means to take to himself a second wife, and also the promise never to complain of his behaviour either secretly or openly, either to the Emperor, the King, or the Princes, or to his Estates; and also never to annoy or molest the person whom he should take for his second wife.[2]

[1] Heppe, pp. 266–270; De Wette, vi. 239–244; *Corp. Reform.* iii. 856–863. In private letters where Melanchthon was not afraid to speak his true opinion he used very different language about the Emperor.

[2] 'On her death-bed the Landgravine Christina disclosed secretly to her son William, with many tears, that it was in a state of unconsciousness that her consent to this bigamous act had been obtained from her. The fuller details given him later of the whole proceedings by his intimate friends in Saxony—in especial by Caspar Peucer, a son-in-law of Melanchthon—raised William's indignation to the highest pitch' (Rommel, *Geschichte von Hessen*, v. 20–21). Respecting a conversation she had had with

In return for this promise Christina received the assurance from the Landgrave that he would look upon her as his 'first and chief consort, and be more faithful to her than hitherto, and that her children alone should be recognised as the princes of Hesse.'[1]

The Landgrave sent these written certificates and agreements to Margaret's mother, and promised her that he would manage to get a trustworthy councillor deputed by the Elector as his representative, and would persuade Luther and Melanchthon to attend the wedding in person; his own theologians and councillors should also be present, but not Frau von Sale's brother, Ernest von Miltitz, for the latter, said Philip, was a papist, and as such not sufficiently well 'grounded' in the Holy Scriptures to be able to comprehend the lawfulness of bigamy.[2]

Luther, Bugenhagen, and Melanchthon, wrote the Augsburg doctor Sailer on February 11, 1540, to the Landgrave, 'have brought out a little book on marriage, in which they express themselves with greater license on the subject than ever before. They make marriage an entirely secular business, relegating it wholly to the civil authorities, to whom they concede the right to order, dispense, and pronounce judgment in this as in

the Landgrave William, the Princess Palatine Elizabeth wrote to her mother, Princess Anne of Saxony: 'He began talking of Dr. Luther, calling him a scoundrel, and saying it was he who had persuaded his father to commit bigamy; and he spoke extremely ill of Dr. Luther. Then I said that Luther could never have done what he was accused of; to which the Landgrave replied that he had Luther's own handwriting as a witness. I answered that Luther's signature might have been affixed to a letter the contents of which he was ignorant of. The Landgrave then fetched the letter; but Elizabeth would neither look at nor listen to it. C. v. Weber, *Anna Churfürstin von Sachsen* (Leipzig, 1865), pp. 401–402.

[1] Dec. 11, 1539. Lenz, i. 358–359.

[2] Lenz, i. 330–332.

other mundane affairs. Bugenhagen also says out boldly that the Christians at Corinth had more than one wife.[1]

On February 13, 1540, a daughter was born to the Landgrave by his wife, Christina.[2] The date of the marriage with Margaret had at the time just been fixed between her mother and Philip.

But now it appeared that Margaret was not sufficiently 'grounded' in the Holy Scriptures. In order to quiet her conscience John Lenning, one of Philip's court theologians, addressed a special pamphlet 'to the honourable and virtuous virgin, his beloved sister in Christ,' in which he referred her to the scriptural examples of Esther and Abigail.[3] The Landgrave himself caused Luther and Melanchthon's written statement of opinion and the Elector's letter of consent to be shown to her, and also sent an envoy to her with instructions to tell her that if she attempted to escape to any of her friends Philip would come himself and lay before her all her love letters and promises, and moreover show her up in such a manner that nobody would ever again want her hand.

On March 4, 1540, the wedding took place at Rotenburg, on the Fulda. It was attended by Bucer,

[1] Lenz, i. 456.

[2] Rommel, i. 582.

[3] Rommel, ii. 4, 7. Two preachers in Cassel boldly denounced the Landgrave's proceeding: one of them went so far as to inveigh from the pulpit 'against those who take to themselves two wives.' Rudolph Walter, a native of Zürich, who was a student at Marburg, wrote to Bullinger: 'Accersitus est a Landgravio theologus quidam, ut huic connubio subscriberet, quod cum recusavit vix ab eo Princeps teneri potuit ira et furore libidinoso commotus his verbis theologum increpans; "Pox take you! this has been subscribed to by men who have forgotten more than you will ever learn till your dying day."' See Fuesslin, *Epist. Helvet. Reform.* p. 205; Strobel, ii. 440–441.

Melanchthon, and Eberhard von der Thann (the last two as representatives of the Saxon Elector), and a few lay councillors. Philip's court preacher, Dionysius Melander, who himself had three living wives, performed the service. As 'a duty to which his office bound him,' 'and according to the grace that had been given him,' the preacher in his sermon, like Lenning in his written statement, endeavoured to quiet the still troubled conscience of Margaret and 'to reassure and instruct her out of God's Word, as far as he could in so brief a time, to the effect that she might enter on such a marriage with the blessing of God, with honour and a good conscience. It was from misunderstanding of the Holy Scriptures that Christians had hitherto been forbidden to have two wives, just as marriage of the priesthood, eating meat, and other such things, which a few years ago would have seemed to us quite as abominable and unheard of as the present ceremony may now appear.'[1]

Among the rules of the new Church system, freed entirely from the fetters of popery, it was now the wish of Philip and his preachers to see polygamy included.

In the certificate of his second marriage, which was drawn up by the Hersfeld preacher Balthasar Reid, Philip stated that it was impossible for him 'to save either his body or his soul' unless he was allowed to have a second lawful wife. For this reason several pious Christian preachers had advised him to take this step, and his first wife, Christina, had graciously given

[1] Heppe, pp. 272–274. 'The numerous progeny of Philip and Margaret all came to most tragic ends. Quarrels, bloodshed, and insanity, in most appalling measure, dogged the footsteps of the children of this second marriage.' Hassencamp, i. 506.

her consent to it, in order that she might serve the body and soul of the husband she loved so much, and 'in order that the glory of God might be promoted!'[1]

On April 5 the Landgrave wrote to Luther that he had been able to go again to the Lord's Supper with a 'happy conscience,' and thanked him for his good advice. 'I observe,' Luther answered on April 15, 'that your Grace is highly satisfied with the advice we have given you, and which we would gladly have you keep secret.' Otherwise 'it will possibly end in the rude country-folk following your Grace's example, and they might perhaps adduce as good if not better reasons, which would cause us no little embarrassment.'

'I have received your Grace's present of a cartload of Rhenish wine,' wrote Luther on May 24, 'and I thank your Grace humbly for it.'[2]

To the Elector of Saxony, however, Luther expressed his displeasure at the proceedings at Rotenburg, assuring him that he had only given his consent on account of the torments of conscience which Philip said he was plagued with, and because the Landgrave had declared himself unable to abstain from sin unless he was allowed to have a second wife. 'If I had known that Philip had long been in the habit of satisfying his shameful lusts with her and others, very certainly not even an angel from heaven would have persuaded me to give him such advice, still less should I have consented to the public celebration of such a union. Add to which it was altogether concealed from me that a princess, a young Landgravine, was about to be born.

[1] '. . ut tanquam dilectissimi mariti animae et corpori serviret *et honor Dei promoveretur!*' Rommel, ii. 411–412; Hassencamp, i. 476.

[2] Letters in Lenz, i. 361–363.

Verily it is not to be endured, and the whole Empire will pronounce it intolerable.'

'I had understood and hoped that the Landgrave (since the weakness of the flesh had compelled him to use vulgar instruments of sin and shame) would keep a respectable girl secretly in some house, in secret wedlock. Though his intercourse with her might be misinterpreted by the world, it would have saved his conscience; and besides this is an ordinary occurrence with great lords.'[1]

Philip's sister, the Duchess Elizabeth of Rochlitz, was at first indignant at her brother's conduct. 'She began to weep,' reports the messenger whom the Landgrave had charged to communicate the news to her with the utmost secrecy, 'then she threw about all the objects near her, uttering loud screams the while.' For many years Elizabeth had been a zealous Protestant, but nevertheless she reviled 'Luther and Bucer, and declared they were rascals at bottom.' The Landgrave, she said, had behaved to her like a villain, and she even threatened to put an end to herself. When, however, Philip threatened that if she did not hold her peace he would make certain revelations concerning her own conduct since her widowhood, the Duchess quieted down. On Philip's writing to Bucer to express his surprise at his sister's indignation, considering that she had advised him 'to keep one concubine instead of so many prostitutes,' Bucer answered: 'I had foreseen all these attacks, but the Lord will lend us help provided we do and suffer all things for the sake of His kingdom.'[2]

[1] Seidemann, *Lauterbach's Tagebuch*, appendix, pp. 195–198, note. See Kolde, *Analecta Lutherana*, p. 348, note, for the date of this letter.

[2] March 18, 1540. See Lenz, i. 159.

Meanwhile alarm was caused by Melander's treachery in not keeping silence on the subject. He had promised at the wedding service 'to keep the proceeding secret as a dispensation granted in urgent need of the conscience,' but now he began to preach openly from the pulpit that 'it was not wrong to have two wives.' Bucer warned the Landgrave that Melander must be compelled to keep silence. 'Very few Christians,' he wrote, 'would approve of this dispensation. Above all it must be a terrible shock to the women to hear such language. Though your Grace's sister is of an exceptionally nervous temperament, yet there is no doubt that among thousands of the best and most pious women scarcely one would be found to whom such teaching would not seem a death-blow. For they must tremble at the consequences, especially if such a license is allowed among the highest classes.' The best way out of the difficulty would be, he thought, to keep silence. But the news had already spread among the entire population and 'terrible rumours' were circulated in town and country. The preacher Corvinus apprehended 'a great falling away from the Gospel.' The magistrate at Lahr, he wrote to Philip, had said openly before the peasants that the Landgrave had married another wife, and in proof of the truth of his statement he told them that 'your Grace had sent Luther a cartload of wine, because he had given your Grace leave to have a second wife.' It was even reported that Philip held Christina immured, and that he was living in criminal intercourse with Margaret's sister. Duke Maurice of Saxony found himself compelled to defend the Landgrave against these accusations.

The people of Hesse were horrified at the crime

which the Landgrave had committed, notwithstanding the frightful demoralisation prevalent among them since the religious revolution.[1] A Hessian Church ordinance of the year 1539 attributes this universal demoralisation to the machinations of Satan, who had estranged men from the communion of Christ 'not only by means of factions and sects, but also by carnal wantonness and dissolute living.' So wild and uncouth had men become, says the Hessian chronicler Wigand Lauze, writing of the year 1539, 'that one might think God had given us His precious word and freed us from the unnumerable abominations of popery only that we might be at liberty to do or leave undone just what each one of us liked.'

'Everywhere sin and transgression against God's commandments and teaching and immorality of all sorts have gained the upper hand, until it has come even to this, that numbers of abominable vices are by many people no longer looked upon as sin and crime.' There were still undoubtedly 'plenty of good Christian laws and regulations,' but these were violated and disregarded 'chiefly by the officers of the law themselves. The great god Mammon is worshipped by preachers and people as never before, not to mention other sins and vices.'

The same tone was adopted by the theologians and preachers of two Synods, at Cassel and at Rotenburg, in an address to the Landgrave: there was no want, they said, of good laws and ordinances in Hesse, but,

[1] 'Mores omnium corruptissimi,' wrote Rudolph Waller of Zürich to Bullinger in 1540 concerning the people of Hesse. François Lambert had already written to Bucer in 1530: 'Horreo mores populi hujus.' Herminjard, ii. 242.

owing chiefly to the remissness of 'officials and persons in authority,' these laws were not enforced. 'Nearly all the leading pastors and preachers complain unanimously that all order and morality are disappearing.' 'Faith and loyalty are met with nowhere.' Things had come to such a pass that 'even religion was held in contempt.' 'We have gained nothing from the Gospel,' says the address, 'but carnal license and the material property of the Church.'

The public officials, on the other hand, laid the chief blame on the immorality of the preachers. 'It has come to our knowledge,' says the Landgrave in a notification to the public superintendents, 'through many of our officials, through reports from the common people, and from the nobles and others, that there is now a very considerable number of preachers and ministers of the Gospel in our principality who conduct themselves very badly, who lead very scandalous lives, drinking, carousing, gambling, carrying on usurious dealings, and even in many cases defiling themselves with still worse vices.' The superintendents must therefore look carefully into these matters, must keep themselves free from such offences, and must prohibit the preachers and church officials from practising them; if necessary they must depose offenders from their offices and 'where the vices are inordinately great' they must punish them even more severely. Some of the preachers, he had been told, 'did not preach more than one or twice a year in the churches to which they had been appointed.' 'Ah, God,' wrote Bucer from Marburg to the Landgrave on Christmas Day, 1539, 'there are bad goings on here and elsewhere; for it is known that your Grace does not trouble yourself to

punish and repress all this vice and iniquity. The people are growing corrupt; immorality is gaining the upper hand.' 'Verily, my gracious Prince and Lord, since there is such terrible contempt for God and for the ruling authorities, it must be that the devil is becoming too powerful.'[1] In Marburg, he said in a letter of April 19, 1540, things were worse than anywhere. 'The members of the council there are for the most part innkeepers. They encourage drunkenness to such an extent that the people lie about in the streets daily like cattle.' 'At Ziegenhain this year 1,500 florins' worth of wine has been drunk; at Marburg, in three months, nearly 3,000 florins' worth. Is it not pitiable? It would indeed be no wonder if there were no money left in the land.' He begged that the Landgrave would, 'after the pattern of the pious princes of old,' look personally into the affairs of his country and not turn amusement, hunting, or what not into 'State business.'[2] It would be lamentable if he, 'who had expended so much labour and money in the defence of religion against the papists, should allow his subjects to be so ill-used.'

As for work in resisting the 'papists,' the Landgrave took good care that there should be no dearth of it.

[1] Lenz, i. 121–122.

[2] The Landgrave's hunting parties were 'the universal terror of the peasants.' Philip looked on the game in the fields of his peasants as an equivalent of the right of pasture in the forests. Landau, *Geschichte der Jagd in Hesse*, p. 7.

## CHAPTER XIII

PHILIP OF HESSE'S PLAN FOR MAKING WAR ON THE EMPEROR —PROTESTANT PROPAGANDISTS AT THE IMPERIAL COURT —RELIGIOUS CONFERENCES AT HAGENAU AND WORMS— PROCEEDINGS AMONG THE PROTESTANTS WITH REGARD TO PHILIP'S BIGAMY, 1540

At the same time that Philip was engaged in preparations for his marriage with Margaret he was also unremittingly active in trying to incite his fellow-confederates of Smalcald to 'take up arms against the Emperor.'

On January 1 and 3, 1540, he roused the fears of Duke Ulrich of Würtemberg by informing him of the reported military preparations of the Emperor. They must not sit still and wait, he said, till they were attacked, but they must take the initiative, especially in the affair of Guelders-Cleves. If the Emperor was allowed to get possession of these lands, he would also become master of Münster, Osnabrück, and the whole region as far as Paderborn, and he would then be in a position to exercise unlimited influence over the appointment to the archbishoprics of Treves and Cologne. Moreover the best and most numerous supplies of soldiers came from these districts, and would then be at his disposal. For these reasons they must rally round the Duke of Cleves: the King of Denmark

also might possibly come to their assistance. He had warned the King of England against the Emperor by means of 'a trustworthy messenger.'[1] Already in November 1539, according to a decision of the Smalcald League, two ambassadors had been sent to Henry VIII. to negotiate concerning the basis of a treaty.[2]

On January 20, 1540, Philip made the following proposals to the Elector of Saxony for an attack on the Emperor: 'He himself, the Elector, Duke Henry of Saxony, and Duke Ulrich of Würtemberg must join forces; each of them must contribute 4,000 foot and 500 horse, or more; Duke Ulrich must raise 8,000 foot and as many mounted soldiers as he could. With an army of this size they would be strong enough to make an attack. The Emperor would undoubtedly accept the battle, and he and his Spaniards would be defeated. 'This first victory won,' they could easily afterwards conquer the Netherlands, and once in possession of these 'they would be supported by England and Denmark and would be able to defy the King of France.'

All these successes would be greatly to the advantage of the evangelical Estates and the evangelical cause generally, and would contribute to the maintenance of the freedom of the German nation.[3]

On behalf of the preservation of this so-called German freedom the princes had formerly appealed repeatedly to the King of France. On April 19, 1539, on the same day on which the armistice had been agreed upon at Frankfort, the Elector of Saxony and

[1] Stern, *Heinrich VIII. und der schmalkaldische Bund*, pp. 492–495.
[2] *Ibid.* p. 497. [3] Lenz, i. 411.

the Landgrave of Hesse had made a fresh appeal to Francis I. They represented themselves to him as being the sole lovers of peace in Germany, and as having suffered much injustice and wrong for their attempts at preserving public tranquillity; their adversaries on the other hand were filled with bitter hatred; they said that they would accept no moderate proposals, would hear no conciliatory explanations of the disputed questions, but were making ready for the slaughter of their fellow-citizens and kinsmen, and for the destruction of all the churches. For this purpose the enemies had formed alliances and raised armies. They now begged the King of France, as the protector of the general freedom of Europe, to stand forth also as the defender of innocence.[1] In July 1539 the people of Strasburg had informed the Landgrave of Hesse that they knew for certain how amicably Francis I. was disposed towards the dear German confederates. 'From the special affection and good-will which he bore to the Protestant Estates' he had put obstacles in the way of the Council which the Pope had decided on summoning.

Since then, however, the political relations between France and the Emperor seemed to have undergone a change. On his journey to the Netherlands, where an open insurrection had begun at Ghent, the Emperor, by invitation of the French King, had passed through France, and festivities and solemnities of all sorts had been held there in his honour.[2] The French nation

[1] *Corp. Reform.* iii. 695–697. Melanchthon also was obliged to draw up a document of the same kind.

[2] Du Bellay, *Mémoires*, iv. 408, 'Passage de l'Empereur par la France.' 'Il fut reçu avec la plus grande magnificence et on lui fit tous les honneurs imaginables. Les prisons furent ouvertes et il fit grace à tous les

reverenced the Emperor as the supreme secular defender of Christendom. The Smalcald confederates feared that an alliance directed against themselves would be concluded between Charles and Francis.

On February 9, 1540, the Elector of Saxony held warlike deliberations at Paderborn with Duke William of Jülich-Cleves, who, on January 29, had concluded a formal alliance, offensive and defensive, with England.[1] On February 14 at Cassel, in the presence of the Elector, the number of soldiers to be supplied by the princes and towns was fixed more definitely, and envoys were despatched in all directions to make arrangements for levying troops for the league.[2] In February 1540 bands of Swiss mercenaries from the Thurgau joined the army of the Smalcald confederates.

The Chancellor Eck was also 'actively astir' against the Emperor. It was his wish that all the German princes, Catholics as well as Protestants, should coalesce and endeavour to effect a religious accommodation without the Emperor. 'Eck behaved admirably,' wrote Dr. Sailer, Philip of Hesse's delegate, on January 16, 1540, after a conversation with the Chancellor at Munich, 'and I see that he is afraid that no agreement in religious matters will be arrived at while the Emperor is in the country; for Charles would be sure to strike in with altogether impossible proposals.'[3] 'If you want to arrive at an agreement,' Eck had said to Sailer, 'you must have respect to the ceremonies, not for the sake of the wise people, but to propitiate the

prisonniers qu'il lui plut de délivrer, *agissant avec autant d'autorité que s'il eût été dans ses propres états.*'

[1] Bouterwek, *Anna von Cleve*, pp. 392–395.

[2] Lenz, i. 413–415.

[3] *Ibid.* i. 449.

foolish ones. Commenting on this utterance of Eck, the confidential agent of the Landgrave remarked: 'If uniformity of worship and rites could be brought about among all the confederates and a cut and dry outward form of Church service held up to the eyes of the vulgar, I verily believe that the Bavarians and others would be much more likely to come round.'

In March 1540 the Chancellor spoke out even more plainly to Sailer. 'Without exciting great suspicion among his haters and enviers at the court,' he said, 'he could not hold a personal interview with the Landgrave. And if he fell under suspicion he would not be able to be of so much service to the Landgrave as he had hitherto been, and still hoped to be in future.' Everybody, so far, must still feel sure that he was not acting at the suggestion or instruction of Philip, but purely for the sake of truth. 'This excuse,' says Sailer, 'has great weight with me, and I believe it to be true; for I know well that all who hang by the priests do not trust Dr. Eck, and think that he is not a good Catholic, but somewhat tainted with Lutheran knavery, as they call it. Now the nobles in Bavaria also stick staunchly to the priesthood, and they are not at all fond of Dr. Eck, to whom every one must look for favours, and they would rather that they themselves were entrusted with all weighty and confidential matters.' All the real State secrets 'in Bavaria are known only to the Dukes William and Louis, to Eck and to Weissenfelder. But at present Eck does not dare trust Weissenfelder or Duke Louis in religious matters, or in anything that concerns the latter.' 'Louis is still much too devoted an adherent of great people and of the parsons.' Eck's secret advice to Philip was that there should be

no attempt at reconciliation in religion; for the priests simply would not come to any agreement. 'They must extort from the Emperor a Public Peace, in which the question of religion should be included, obtain reciprocal security with regard to this peace, and then decide on holding a Council and fix the time and place of its meeting.' Regarding this Eck would consult with Bucer.[1]

Bucer placed great hopes on the Bavarians. 'They are restive under the predominance of Austria,' he wrote to Philip of Hesse, 'and they know well what is known about them'—namely, at the court of the Emperor, where the Bavarian intrigues with the Smalcald confederates had long been no secret. There were many signs, so Bucer opined, that 'God had ordained Bavaria to be His instrument for checking the growth of other people's tyranny in the Empire.'[2]

'We know the Bavarians better than you do,' Philip answered; 'they are thoroughly crafty, vacillating people.' 'We have had a great deal to do with them, and whenever we imagined that we had got to the right side of them they slipped out of our hands again like eels.'

Not only did the transactions with Bavaria lead to no conclusion, but the whole political situation shaped itself unfavourably for Philip with regard to his plan of attack against the Emperor.

The Dukes Henry of Saxony and Ulrich of Würtemberg refused to join the league proposed at Cassel on February 14. Neither could the towns of South Germany and Saxony be prevailed on to become

[1] Report of March 9, 1540, in Lenz, i. 457–459.
[2] Lenz, i. 125.

involved in intrigues concerning Jülich and Guelders.[1] The Count Palatine Frederic, who in December 1539 had entered into closer connection with the Smalcald confederates[2] and had promised to be present at a Congress at Eisenach, withdrew his promise on February 18, 1540.[3] The Archbishop of Treves, Johann von Mezzenhausen, behaved in like manner. In November 1539 he had proposed to the Landgrave to hold an assembly of princes, at which Catholics and Protestants should negotiate an agreement in religious matters independently of the Pope and the Emperor.[4] But when the Landgrave tried to induce him to convene a congress of Rhenish and Franconian princes at Coblentz or Limburg the Archbishop said 'it was the business of the Elector of the Palatinate to do this.' The Elector on his part pointed to the imperial Chancellor as the most proper person for the task. But Albert of Mayence, who had held out hopes for some time, was now no longer inclined for the undertaking. 'From which you may see,' Philip had written to Strasburg on January 1, 1540, 'how poor-spirited the people have become on the arrival of the Emperor, and how they chop and change with the fluctuations of times and events.'

Philip's negotiations with Henry VIII. also came to nothing.[5] This monarch expressed the wish to the Saxon Elector's ambassadors that 'they should first of all form a political confederacy among themselves, and then afterwards proceed to deliberations on the

[1] Lenz, i. 448.

[2] Lenz, i. 408–409. According to a letter of Calvin to Farel in November 1539 Henry VIII. had urged the Count Palatine to ally himself with the Protestants and to persuade his brother Louis, Elector of the Palatinate, to do the same. *Calvini Opp.* x. 431.

[3] Lenz, i. 417. [4] *Ibid.* 431. [5] *Ibid.* i. 421–422.

religious question.' His minister Cromwell held out hopes to the Smalcald confederates of a 'good big sum of money in case the religious accommodation should become an accomplished fact.' [1]

After the fall of Cromwell the connection of the Smalcald League with England was broken off. Melanchthon even expressed the wish that Henry VIII. might be murdered. 'The English tyrant,' he wrote on August 24, 1540, to Viet Dietrich, 'has killed Cromwell and committed adultery. How justly has it been said, "There is no more acceptable sacrifice to God than the death of a tyrant"! Would that God might inspire some brave man to do the deed!' [2]

In March 1540 a general meeting of the confederates took place at Smalcald, and the theologians who were present urged on the Estates that they should make a decided stand against the Emperor. Bucer wrote to Philip of Hesse on March 8 that they must positively keep Charles to the promises made at

[1] Stern, pp. 497–499, 502. Bucer was the most zealous promoter of a league with England, in order that 'English money and German soldiers' should co-operate. Lenz, i. 97, 107, 108.

[2] '. . . quam vere dixit ille in tragœdia: non gratiorem victimam Deo mactari posse, quam tyrannum. Utinam alicui forti viro Deus hanc mentem inserat!' *Corp. Reform.* iii. 1076. Melanchthon defended tyrannicide on principle. In his exposition of Psalm lix. he says: 'According to the dictates of human reason it is lawful to defend oneself against a tyrant who commits a public and flagrant injustice. In the course of such defence, if the tyrant should be slain, one must conclude that the defendant acted *justly*.' *Corp. Reform.* xiii. 1128. Luther too in his *Table-Talk* expresses himself as follows: 'If a sovereign behaves tyrannically and unjustly, he then lets himself down to the common level; he thereby ceases to be a superior and loses his prerogative as against his subjects.' When citizens and subjects 'can no longer endure' the violence of a tyrant, they are 'justified in putting him to death as a murderer and highway robber.' *Collected Works*, lxii. 201–202, 207.

Frankfort of a religious conference and a national council. 'The Catholics,' said a memorial of the Wittenberg divines, 'must simply be made to accept and publicly confess the new doctrines.' 'They must either make up their minds to strengthen and promote idolatry, blasphemy, error, immorality, and other sins, or they must declare themselves openly for the truth.' Christ had said: 'He that is not with Me is against Me.'[1] On the motion of the theologians it was resolved at Smalcald that 'in all places where Masses and scandalous abuses had hitherto been tolerated, and the papist clergy in consequence strengthened in their obduracy, to the grievous offence of pious and right-minded people,' every member of the league in his respective dominions 'should abolish such abuses in a legitimate and orderly manner,' and also 'do away with all remaining tabernacles, altars, and offensive pictures and images.'

If the Catholic Estates and the Emperor would not grant the Protestants security, so Bucer and Melanchthon wrote to the Landgrave, and would not allow the 'Christian conference' to take place, but 'persisted obstinately in their own errors and in persecuting our truth,' then the 'Protestant leaders, after invoking the Spirit of God, must confer together as to what active measures should be taken for promoting justice and peace among their communities.' The Landgrave must consider, urged Melanchthon, who was at that time under the influence of Bucer, 'that this matter concerned the honour and the word of God, and in case of necessity he must do what ought to be done.'

[1] *Corp. Reform.* iii. 928. See Melanchthon's letter to the Nuremberg preachers, iii. 961.

'This advice of yours,' Philip replied on March 15, 'would be all very well if the other Estates would follow it as well as we ourselves and the Elector; therefore you must persuade the other Estates and towns to give their consent, for what you recommend cannot be carried out if none but the Elector and ourselves agree to your proposal.' He had spared no trouble, thought, labour, and expense, he said, to move the other Estates to action, but without result; 'for, as you have without doubt understood, the other Estates and towns, with one accord, declare that we Protestants must not take the initiative.'

The Protestants were well aware that no attack was to be feared on the part of their opponents. Through the death of Duke George of Saxony the Catholic League had lost its chief supporter; moreover the Catholic Estates were divided among themselves and at variance with the Emperor.

Meanwhile the Landgrave Philip had succeeded in gaining 'influential friends' even among the Emperor's circle. In like manner as the Bavarian Chancellor Eck, in return for Hessian bribes, was busying himself in the cause of Protestants and endeavouring to further the aggrandisement of Philip, so, at the imperial court, the minister Granvell had special inducements to strive after the aggrandisement of the Landgrave.

The Smalcald confederates had sent a deputation to the Emperor, and on February 24 at Ghent, in the presence of Granvell, the delegates submitted their statement to him. 'It was only out of reverence for God and in obedience to their consciences,' the deputies had been instructed to say, 'that the confederates of Smalcald had accepted the truth of the pure Gospel,

which God had revealed to them by His Holy Spirit. They were no disobedient rebels against the Emperor, as had been falsely represented to him, and they did not wish for war; they had only equipped themselves for defence because their adversaries were equipping. They begged that the Emperor would pronounce a favourable decision with respect to the Frankfort amnesty, and also, with a view to expediting the proposed 'Christian colloquy,' that he would suspend the legal proceedings of the Imperial Chamber, especially the sentence of the ban against Minden; for the Electors and princes felt themselves 'highly aggrieved in their consciences by these proceedings.' Further, they begged that the Emperor would summon a Diet for the purpose of arranging a durable peace; by this means he would establish his august name for ever as that of a peace-loving emperor.[1]

In a supplementary letter of instructions Philip of Hesse charged the envoys to recommend the Smalcald confederates to the special notice of the minister Granvell, who was all-powerful at the imperial court.[2] This recommendation was sent exactly at the time at which Philip submitted to the Elector of Saxony the plan of a military attack on the Emperor.

Granvell gave George von Boyneburg, one of the envoys, the warmest assurances of his friendly attitude to the Protestants, and especially towards the Landgrave of Hesse. 'He had hitherto rejected all proposals

[1] On February 6, 1540, Calvin wrote from Strasburg to Farel: 'Nostri Caesarem de sua pollicitatione appellant. *Interim tamen non secus tumultuantur*, ac si bellum esset jam indictum. Superiori mense visi sunt nimis esse resides: nunc mirum est quam sint excitati.' *Calvini Opp.* xi. 12.

[2] Lenz, i. 427.

of warlike measures, but he cherished "especial love, friendship, and good will" towards Philip, and would gladly serve him in any way that was in his power. According to Boyneburg's report all business with his Imperial Majesty was managed by Granvell, without whose knowledge and consent 'nothing was decreed or granted at the court.'[1] The Landgrave's advice, therefore, to the Saxon Elector was 'to keep in' with Granvell, and to use him as a tool for extorting from the Emperor a national council, a Diet, a religious conference, or at any rate a semblance of peace.

Besides the minister Granvell, Philip had also won the favour of the Archbishop of Lund, who was another highly influential man with the Emperor, and who on March 5, 1540, in an interview with one of the Landgrave's envoys at Cologne, made all sorts of secret disclosures concerning some of King Ferdinand's and the Emperor's councillors 'who were instigators of war against the Protestants; but the Landgrave must not betray their confidence, for he might picture to himself how serious a matter it would be for the Archbishop if he were known to have given this information.' He, for his part, he said, was doing all he could to dissuade the Emperor from war and to influence him in favour of the Landgrave. When the Emperor had said to him concerning Philip, 'They tell me that he is a profligate man,' he had answered, 'That is not the case; the Landgrave is a lover of the truth, and he acts with sincerity and uprightness of heart;' he is also a consistent man 'who does not contradict to-morrow what he has said or done to-day;' 'he wishes to serve the Emperor faithfully.' 'Thereupon the Emperor said,

[1] Lenz, i. 156, note 8.

"Dear friend, do you mean this?" and I answered, "Yes."' The Archbishop pledged himself to go on supplying the Landgrave with secret information, and to render him 'useful and good service.'[1]

The Elector of Saxony expressed his full satisfaction at hearing that Philip had entered into friendly relations with the Archbishop: 'it would be useful and profitable in many ways;' the Landgrave would 'learn a great deal from him.'

'We know very well,' Dr. Sailer wrote to Philip of the Archbishop, 'that he is considered semi-Lutheran at the imperial and royal courts. It is therefore important for him, being a spiritual prince of the German nation, to keep in favour with the German Princes; and whereas your Grace stands in higher repute and distinction than other German princes, it is not astonishing that he should be specially desirous of propitiating you.'

Another man at the Emperor's court who was 'very favourably disposed towards the Protestants' was the Vice-Chancellor Naves, who also did not 'go unrewarded.'[2] 'I find this fellow Naves,' wrote one of

[1] Conversation between Heinrich Lersner and the Archbishop on March 5 and 6, 1540, in Lenz, i. 471–489.

[2] Seckendorf, iii. 497. The burghers of Augsburg, fearing that the Emperor would hold a Diet in their town and punish them for oppressing the Catholics, had asked Philip how they might best avert the threatening danger. Philip's answer was: 'To spend a few thousand florins in bribes to Naves and the other imperial ministers: they would then find means to prevent the holding of the Diet' (Seckendorf, iii. 497). Bonacorsi, on February 13, 1530, wrote from Toledo to the Dukes of Bavaria that Granvell and Naves were easily gained over by bribes (Aretin, *Maximilian I.* pp. 33–34). Heyd, iii. 465, mentions the sums of money spent in 1546 by Ulrich of Würtemberg in bribing Granvell and Naves. Of Naves the *Zimmerische Chronik*, iii. 475, relates 'that he was so ill at ease with his conscience that, in order to get some rest, he had to be continually

the new religionists to Jacob Sturm of Strasburg, 'a first-rate man, who sees things in the right light, and uses his influence in favour of Protestantism.' Naves had told him that 'Granvell was always urging the Emperor to keep peace with the Germans, so that he might not lose his imperial sovereignty and have the mortification of seeing one of his enemies exalted to it.' The same argument was brought forward by Archbishop of Lund, who urged that if it came to fighting it was to be feared that the Protestants would set up the French King as Emperor.[1]

Granvell, Lund, and Naves persisted unweariedly in their attempt to dissuade the Emperor from all forcible proceedings against the revolutionary movement, which, under the cloak of the Gospel, was growing and spreading from year to year, and recommended him to have recourse to diplomatic negotiations, especially urging the holding of the so-called 'friendly religious colloquies' which the Protestants wished for.[2]

King Ferdinand also, although he was a staunch Catholic, was 'in favour of conferences and procrastina-

intoxicated.' Even at King Ferdinand's court the Smalcaldians had their reporters and spies. 'Nous avons amis par tout et sçavons bien les secretz, mesmes du roy; et prenant une lettre en sa main: ceste lettre, dit il, vient de la cour du roy, d'ung qui bien sçait les secretz, et soubzrioit, sans toutefois me montrer la dicte lettre, fors que de loing.' Thos. Philip to Scepper, an envoy of Queen Maria, October 1541. Lenz, *Staatspapiere*, pp. 313–314.

[1] Laemmer, *Mon. Vat.* pp. 228, 229.

[2] 'The attitude of Granvell towards Catholicism,' remarks Brandenburg (*Moritz von Sachsen*, i. 96), 'was quite different from that of his master. Being through and through a politician and a rationalist, he prized the religious impulse only in so far as it might be of importance in matters of State; hence his contemporaries were in the dark as to the extent and measure of his attachment to the teachings of the Catholic Church. The religious conference of the year 1540 and the momentous Ratisbon Colloquy of 1541 were mainly his work.'

tion,' because he wanted to prevent complications in the Empire, 'in order to obtain help from the Protestants against the Turks; and also because he was bare of pecuniary resources and could not obtain loans from the usurious merchants without paying the most enormous rate of interest. He feared, accordingly, that if war broke out in Germany he would lose everything —kingdom and hereditary lands. This was the reason why he was always in favour of dallying with negotiations and religious congresses.'

It was all in vain that the papal legates represented again and again to the Emperor that religious conferences with the Protestants, who rejected the authority of the Church and of the Head of the Church, could 'produce no good fruit;' that, on the contrary, worse acrimony could only result from them. Not one of the agreements hitherto concluded, said the legate Cardinal Farnese to the Emperor in April 1540, had been observed by the Protestants. 'They destroy and pull down churches, expel the bishops, desecrate religion, and go unpunished.' The one canonical, traditional, and only safe means in times of religious confusion was a Council. Once more, in the name of the Pope, he begged that this means might be resorted to, and that steps in this direction should be taken this very year. Let the Emperor summon a Diet, attend it in person, strengthen the Catholic league, endeavour by all possible measures to win the consent of the Protestants to the Council, and conclude a solid peace with France, for on such a peace the welfare of Christendom and the conquest of the Turks depended.[1]

[1] Raynald, *ad a.* 1540, Nos. 15–21. For light on the opposite standpoint to that of the Pope and the Emperor see Pastor's *Reunionsbestre-*

Charles had not ratified the Frankfort agreement, because it was in opposition to the authority of the Papal Chair, but on April 18, 1540, 'with a view to the speedy and amicable settlement of the religious question,' he summoned a Congress at Spires and invited the two chiefs of the League of Smalcald to attend it in person. Papal plenipotentiaries were also, at the discretion of the Emperor, to take part in the conference; the Pope, said Granvell to the legate, must adapt himself to it as well as he could.

'How little result' was to be hoped for from this conference was shown in the mere declaration made by the Protestants to two imperial envoys at Smalcald that 'they would abide unconditionally by the Confession of Augsburg, and that the religious schism could not be healed if the adversaries would not renounce their unscriptural nonsense, errors, and shameful abuse of the Sacraments.' The Protestants flatly refused to submit to any arbitrator on the points in dispute. 'The will of God,' they said to the envoys, 'can never be learnt from human opinions and speculations, but, as St. John says, the Son of God, who is in the bosom of the Father, has declared it unto us. Let then his Imperial Majesty appoint this "Doctor," even our dear Lord Jesus Christ, to be the judge in these religious disputes.'

The reply of the Elector of Saxony and the Landgrave of Hesse to the imperial summons was as follows: 'It was not their fault that, in spite of all the negotiations that had been carried on, the religious schism was not yet healed; the cause lay in the greatness of the

*bungen*, pp. 169 ff. See also Dittrich, *Nuntiaturberichte G. Morone's*, 1539, 540. Paderborn, 1892.

matter itself, which concerned the honour of God and the salvation of souls; and also in the fact that the Catholics, 'as his Imperial Majesty knew well, had not suffered themselves to be instructed in any single point.' As for themselves, they could not attend in person at Spires, because the notice was too short; but they would send their ambassadors to the conference, and if things seemed likely to lead to peace they would then come themselves.

The Elector of Saxony, however, was determined from the first not to go to Spires, and likewise the Landgrave of Hesse. Philip wrote to Bucer: 'To avoid falling into sin and wickedness he must take a wife with him;' to take the Landgravine Christina would be too expensive, and to take the 'other one' too dangerous. 'If we had her with us the whole secret would be out, and in such a place this might get us into serious trouble.'

In June 1540 the congress at which the religious reconciliation was to be effected was opened; not at Spires, however, where the plague was raging, but at Hagenau. As had been expected, the negotiations led to no result.[1] All the efforts of King Ferdinand, who implored for 'peace and reconciliation,' were mocked at. For since, as Luther expressed it, 'he was not for Christ' —that is to say, he did not accept the novel doctrines and range himself on the side of the Protestants—'he was against Christ and an enemy to Him.' 'I am no longer at all concerned about Ferdinand; he is going completely to ruin. But I do fear that, as I have often predicted, the Pope will bring the Turks upon us, which Ferdinand would hardly prevent, for he is reported to have

[1] Fuller details in Pastor's *Reunionsbestrebungen*, pp. 184–198.

uttered strange things, and affairs have a somewhat odd appearance.' The Pope will not 'yield to Christ.' 'Then may Christ confound them all—Ferdinand, the Turks, the Pope, and the devil!' The cry was: Ferdinand himself desires the Turks to be godfathers to the evangelical princes! We must pray against that swarm of devils, now raging at Hagenau against God and His anointed, that God may deride them and finally smash them to pieces like a potter's vessel.[1]

Melanchthon, who was to have taken the lead among the Protestant theologians in the conference at Hagenau, was ill, and at death's door, with grief over the Landgrave Philip's matrimonial proceedings. Luther wrote to his wife from Weimar: 'I am very flourishing here; I eat like a Bohemian, and drink like a German, for which God be thanked. Amen. For Doctor Philip has been dead and, like Lazarus, has risen from the dead.' But Luther's happiness was disturbed by the contemplation of the general demoralisation of the people everywhere. The constant increase of suicide he looked upon as the work of Satan, whom God had invested with power for the chastisement of ingratitude and contempt for His word within the new Church. On July 10 and 16 he wrote to Catherine von Bora: 'In these lands too the devil rages with fearful wickedness; people commit suicide and arson. The incendiaries are caught and quickly despatched.' 'The devil is loose, possessed himself by new devils, causing fires and terrible damages. More than 1,000 acres of forest belonging to my gracious Lord have been burnt down in the forest of Thuringia, and the fire is still burning. The forest of Werda is also in flames

[1] De Wette, v. 298. Burkhardt, *Briefwechsel*, pp. 498–499.

and cannot be saved. May Christ come down from heaven and kindle for the devil and his companions a fire which they too shall be unable to extinguish ! ' [1]

The Elector of Saxony feared that King Ferdinand would insist on terms of peace of such a nature that the Protestants ' would be unable to draw any more converts to their religion, or to enlarge their league, or to depose any more of the clergy ; ' but that, according to the Frankfort agreement, they would be obliged to leave the clergy in the possession of their revenues. To such conditions the Protestant Estates would never agree.

When Ferdinand became persuaded that no satisfactory result would be arrived at at Hagenau, he moved the resolution that the assembly should be prorogued for a few months and then be reopened at Worms, where the heads of the Protestant party should again be present. ' As far as lies in my power,' he wrote to his sister, ' I shall avoid war, and shall use all possible means for reconciliation and for an amicable settlement of this matter.' ' God knows it was not my fault that the Hagenau recess was not more satisfactory.'

The Emperor agreed to the assembly's being prorogued till the end of October and held then at Worms, and he appointed his minister Granvell to be his representative there. At the urgent request of Charles the Pope also sent a legate, who was accompanied by four theologians.

Luther wrote to the Duke Albert of Prussia on October 10, 1540 : ' An assembly has been summoned by the Emperor to meet at Worms on St. Simon and St. Jude's Day, when the theologians of both sides are to

[1] The letters in Burkhardt, pp. 357, 358 ; De Wette, v. 299.

hold a colloquy ; that is to say, they are to waste their time, squander their money, and leave everything at home to go to wrack and ruin. Well, we must let the devil have his way ; but what the end of it all will be is easy to understand.'

On October 22, shortly before the opening of the congress, Protestant theologians and secular councillors assembled at Gotha, and renewed their determination to abide resolutely, without further explanation, by the Confession of Augsburg ; not to yield in any single matter, and not to allow any more harking back upon points conceded at the Diet of Augsburg ; under no form or modification whatever could they submit to the authority of the Pope, for the Holy Ghost had declared his teaching to be the devil's doctrine.

The Saxon Elector instructed his delegate at Worms to hold firmly to this policy, even if some members of their party showed signs of giving in ; even also if it should cause a breach in the party.

Granvell opened the meeting at Worms with a speech in which he described the misery which had already resulted from the religious disturbances and which was likely to become even worse in the future. The papal legate also delivered a speech to the same effect on December 8. ' Christ,' he said, ' in His supreme prayer after the Last Supper, had prayed that all His disciples might be one, as He and the Father were One.'

The bond of unity is love, the new law of the Lord by which His disciples were known. If we had always kept this commandment in mind, things would not have come to such unholy wrangling and quarrelling, hatred and schism, slandering and blaspheming, war and bloodshed, and all the misery with which Germany had been

visited for the last twenty years. The Popes, with all their anxiety to put an end to these evils, and with all their prayers, warnings, and embassies, had been able to accomplish nothing; even the Council summoned by Paul III. to meet at Vicenza had remained ineffective, because it had not been sufficiently well attended. The conference at Worms was to be the forerunner of this Council, and he therefore exhorted them all to become reconciled and to be at peace with one another.

Melanchthon composed an 'intrepid answer,' in which he threw all the blame of the discord on the crimes of the Church, above all on the opposition of the Roman See to the true teaching of the Gospel as proclaimed by the Protestants.

Bucer wrote to Luther on the day of the legate's speech: 'How wonderful is the patience of our Lord Jesus Christ in thus allowing Himself so long to be put to shame and ridicule not only by the pestilential Church, but by the human race as well!'

'May the devil take Pope, legates, priests, monks, and tyrants!' was the wish uttered by Justus Menius, 'and leave the Church at peace. Amen.'[1]

For several months both sides went on wrangling over the conditions under which the religious conference was to be held; then they began holding short disputations, the result of which was summed up as follows by the Frankfort delegate Ogier von Melem on January 3, 1541: 'All that is being done here is to increase the mutual acrimony of the two parties.'

On January 17, 1541, by command of the Emperor, the meeting was prorogued to an imperial Diet at Ratisbon, when Charles intended making another per-

[1] Pastor, *Reunionsbestrebungen*, pp. 198–217.

sonal attempt at restoring religious peace and unity in the Empire.

It was not the religious question, however, which had been the chief cause of distress and anxiety among the Protestant notables and theologians since May 1540, but the bigamy of the Landgrave of Hesse.

According to the ancient laws of the Empire, as well as the new criminal code of Charles V., in force in Hesse also, death was the penalty for bigamy. Both in the earlier criminal courts of Bamberg and in the later ones of Brandenburg persons found guilty of this crime were publicly declared infamous, while one half of their possessions was confiscated. The judges were also empowered, 'for the more effectual prevention of evil-doing, to shut up such delinquents in prison for a time, and also to inflict some kind of corporal punishment on them, as, for instance, the pillory, the stocks, scourging with rods, or exile, according to the circumstances and status of the offender.' [1]

Now if the Imperial Chamber, whose legal processes in all so-called matters of religion had been repudiated by the confederates of Smalcald, were to proceed against Philip as against a common criminal, such a public exposure of one of the heads of the League would involve the whole body in disgrace, and the 'Gospel,' the new teaching, would be thereby covered 'with unutterable shame and ignominy.'

Hence the indescribable alarm of many of the fathers of the new Church, and of Philip's Protestant compeers, when the fact of the double marriage 'became generally rumoured abroad.'

[1] See Boehmer, *Meditationes in Constitutionem Criminalem Carolinam* (Halæ, 1770), pp. 469–482.

The Elector of Saxony urged the strictest secrecy in the matter, and refused to stand by the Landgrave, in the event of the affair becoming publicly known.[1] On July 3 Bucer wrote to Philip from Hagenau begging him, in compliance with the Elector's wish, to insist on Duke Henry of Saxony and his sister Elizabeth keeping silence about the business, or even contradicting it, and himself preserving the strictest secrecy. 'Your Excellency knows well how few people there are who judge rightly according to the true word of God.' The theologians Schnepf, Brenz, and Osiander, to whom Bucer had confided the secret, were of opinion that he ought to deny his marriage: 'for so long as in the general opinion of the country such proceedings deserve capital punishment your Excellency's adversaries would be justified in having recourse to extreme measures.' These theologians declared themselves ready not only to defend the Landgrave, if the matter should become public, 'but even, if necessary, to testify to the falseness of the report;' for the rest, they felt the greatest pity for him.

On July 8 Bucer again assailed the Landgrave with an entreaty to make a public denial of his marriage with Margaret.

'For such a course,' he urged, 'we have the examples of Abraham, Isaac, and Jacob; of judges, kings, and prophets; of Christ and the Apostles; yea, of God Himself, who all in turn deceived their enemies in order to save the chosen people.' 'In like manner it is our duty not only to conceal the truth from our enemies, when they may injure us through the know-

[1] See the Elector's instructions to his councillors at Hagenau, June 19 1540, in the *Corp. Reform.* iii. 1049.

ledge of it, but also to mislead them by contradictory statements.'

With this end in view Bucer *inter alia* advised Philip to prevail on Margaret to sign a contract before a notary and witnesses to the effect that 'she was only a concubine whom God had permitted His beloved friend to have.' Further the Landgrave was advised by the same counsellor to issue the following declaration: 'He was everywhere accused of having been forgetful of his conjugal duty and princely honour, and of having taken another wife, in violation of the universal laws of Christendom and the decrees of the Emperor. Herein, however, gross injustice was done to him; whoever had imagined and set about such things were liars and could only have wanted to vent their personal hatred and spite against him. He was not so utterly God-forsaken as not to be aware that Christianity had restored the sacred bond of marriage to its pristine purity, and that not only the ministers of the Church but all Christians, lay or clerical, were bound to have no more than one wife or one husband. He would be loth indeed, whether for himself or for others, to violate the sanctity of God's blessed gift of marriage. He begged accordingly that no credence might be given to such false reports raised against him by his ill-wishers.' In justification of such audacious lies Bucer said: 'It is tempting God to expose oneself to danger when a way of escape is prepared, especially when it is a question of glorifying the name of the Lord and of extending His kingdom, as it is the duty and the mission of every Christian to do.' [1]

Thus Bucer, the apostle of the Gospel of truth!

[1] Lenz, i. 175–180.

Philip was greatly angered by this advice. The approval of Brenz, Schnepf, and Osiander, he wrote, was nothing to him. 'It is a cause of wonder to us that they should feel so deeply for us in this matter, which after all excludes nobody from the kingdom of God; whereas when we were living in a state of open sin they took no notice of it.' 'Do not let these three insolent men lead you astray; for you are well acquainted with them and know how they have behaved in other respects.' 'We are surprised to find how much persecution is heaped upon us on account of this step we have taken, whereas our previous flagrant transgressions brought no reproach on us. Since then it is, as a rule, only righteous actions which are persecuted, and since we have had to suffer so much on account of this proceeding, we are forced to conclude that the matter is not against God, but of God.' He declared that he would neither contradict the matter nor deny it by a public written statement. No one had yet got him in his power. 'If ever things should come to extremities,' he would raise several thousand cavalry and infantry. He had 'a clear conscience; if need were he would proceed to arms, be the risk what it might.'

The Landgrave especially was surprised at the behaviour of the Elector. The latter, he wrote, had sent a representative to the wedding. Moreover, when he had been on a visit to him in Cassel, he had not dissuaded him from this course, but had laughed and teased him on the matter, and had said more than once that he should like to see the lady or to know who she was.[1]

Bucer stuck to his dictum that 'had your Grace not

[1] Lenz, i. 181–187, 204.

had recourse every day to lies, as I advised, this proceeding would long ago have led to much misapprehension. It is often indispensably necessary that the world should be kept from the knowledge of the truth by the help of saints and angels. The Bible is full of cases to the point.'

In Bucer's estimation the end sanctified the means.[1]

Luther was of the same opinion.

On June 20 the Landgrave wrote to Luther and Melanchthon that he had done all in his power to keep the marriage a secret, but that, chiefly through the fault of his sister and of Duke Henry of Saxony, the public had got scent of the matter, and in Thuringia and Meissen there had been a great outcry about it. He begged them, accordingly, to give him their advice as to what was best to do, and hoped that they would stand by him in a loyal and Christian manner in case of his undergoing any persecution from the Emperor or the King, or others; 'for if, as we do not at all expect, you should withdraw your support, we should feel compelled to lay before our accusers your written statement and signatures, in order that they might see that we had had your consent.'[2]

[1] Lenz, i. 193.

[2] *Ibid.* i. 363. See in Kolde's *Analecta Lutherana*, pp. 353–355, what four Hessian theologians wrote to Luther and Melanchthon on June 23. See Brandenburg, *Heinrich d. Fr.* p. 114 ff. The Dresden court, as is authentically shown here, hastened to inform other Protestant princes that all the scandalous reports about the Landgrave were based on truth. Henry expressed to the Landgrave his deep distress at what had happened. Catherine wrote to the bigamist on June 13: 'The desire for secrecy shows plainly that you and the theologians are troubled with bad consciences and fear the light: the matter, however, has become too notorious to be hushed up.' She concluded with the pious wish that God by His Holy Spirit might drive the evil spirit out of the Landgrave.

Luther, however, stuck to it that the matter must be publicly denied: for 'that which is a secret *yes* must never become a public *yes*; otherwise secret and open would be all the same without any difference, which must not be, nor can be. Therefore this secret *yes* must become a public *no*, and remain so always.' 'What harm is there,' he said in the middle of July at a conference with Hessian councillors at Eisenach, 'in telling a good bold lie for the sake of making things better and for the good of the Christian Church?' This question had nothing to do with conscience, he said, but sooner than he would allow the confession made to him by Bucer in the Landgrave's name to get abroad he would declare that 'Luther acted like a fool and would take the disgrace upon himself.' The Hessian Chancellor, Feige, retorted, *inter alia*, that for Luther to say that he had made a fool of himself would be fatal to the estimation in which he was held. He should call to mind what he had written thirteen years before in his commentary on Genesis, and remember that these statements of his had remained unchallenged by all his disciples and followers.[1] He should consider what numbers of matters which were equally doubtful and as little supported by Holy Scripture as this one was had been justified and legalised, in spite of civil authority, by the decisions of a Christian Council.

The Landgrave, highly indignant at Luther's utter-

Philip, on the other hand, wrote to Catherine quite openly that if the matter had become notorious it was her doing, and expressed his hope that God would purge out from her heart all evil spirit of pride, envy, hatred, and lust.

[1] *Collected Works*, xxxiii. 322–324. See my pamphlet *Ein zweites Wort an meine Kritiker*, pp. 90–91, and vol. ii. of this History, pp. 402–403 (Engl. Transl. iv. 98, 99).

ances, wrote to the latter on July 18 that it was quite false that, as was said of him, he had had guilty relations with Margaret before his marriage with her; it was true, however, that 'if he had not obtained this person in marriage he would have taken some one else.' 'But that I preferred this one to any other,' he proceeds to say, 'because she pleased me, is only human; and indeed I observe that you saintly people also like to have the women that please you. You must therefore suffer us poor sinners to do likewise.' 'You gave me your witness in your written answer that this step was not at variance with the law of God, saying that what was tolerated by the law of Moses was not forbidden in the Gospel. You therewith gave me not only your witness, but also the argument on which it was based. But if this was all fool's play it was a most strange kind of fooling; for I did not ask you to play the fool, but to give me your testimony that if I did this thing I should not be acting in an unchristian manner.'

If, as Luther still allowed, he might consider this person as his legal wife in the sight of God, why might he not recognise her before the world? 'If we may feel our consciences clear in this matter before God the Almighty, the Eternal, the Immutable, why should we trouble ourselves about the judgment of an accursed, Sodomitic, usurious, and drunken world? Oh, that it might please God to move you and your associates to condemn as rigorously all the crimes and vices—adultery, usury, drunkenness—which at present are scarcely looked upon as sins among us! Would God that you might attack these crimes, not only by books and sermons, but by severe punishment and excommunication, as did the Apostles of old! Would God that you

were as rigorous against those whom you consort with daily and who pass as Christians, to the great scandal of mankind! But what do you and your comrades do to remedy the evil? Can debauchery be reconciled with a Christian life? If you have the honour of the Gospel so much at heart, clean out your pigstyes conscientiously, and let it be seen that it is done in good earnest and not as a mere joke.'[1]

'We have written a pretty sharp letter to Luther with our own hand,' the Landgrave wrote to Bucer. 'We specially animadverted on the fact that he is so narrow and precise in this matter, while at the same time he connives at or only reproves verbally the enormous drinking and other offences which he sees going on daily around him.'

In threatening language Luther answered on July 24: 'I have this advantage over you which your Grace and all the demons must grant me, 1st, that my advice was private and secret; 2ndly, that I begged most earnestly that it should not be made public; 3rdly, if it is published abroad I am certain that it has not been done through me. So long as I have these three points in my favour I advise even the devil himself not to challenge my pen.' He was loth, he said, to enter on a pen and ink fight with Philip, and it was not for his own sake, but solely for the Landgrave's, that he advised the matter being kept secret. 'It is verily not on my own account, for if it came to a pen and ink fight I should know well how to extricate myself and leave your Grace sticking in the mire, which I do not

[1] Lenz, i. 380–382. 'At the electoral court of Saxony,' the Duchess Elizabeth of Rochlitz wrote to her brother the Landgrave in 1534, 'excessive drinking has become an hereditary vice.' Wilke, p. 25.

wish to do, but could not help doing if it came to the scratch.' [1]

'It was not our intention,' Philip answered, 'to engage in a pen and ink combat with you, nor even to set your pen going, for we know well your skill with that weapon. We are, moreover, firmly resolved not to quarrel with you.' He promised that 'without great and imperative necessity' he would not publish Luther's memorandum of advice. If, however, he should ever be forced to this step, Luther was at liberty, provided he confessed to having granted the dispensation, to choose his own means of extricating himself from the scrape. He considered Luther 'without flattery the most distinguished theologian in the world,' and as long as it was possible he should continue to answer all questions and charges equivocally.[2]

Luther quieted down and thanked the Landgrave in his wife's name for a present received.[3]

Luther by no means let the matter weigh heavily on his heart, and he lamented Melanchthon's distress

[1] De Wette-Seidemann, vi. 273–278. Bezold, animadverting on Luther's conduct on this occasion, remarks: 'The man who once upon a time had determined to sacrifice himself and the whole world rather than the truth descends now to a frivolous justification of his apostasy from his own self. "I will," he writes to Philip, "do with a safe conscience what Christ did when He said in the Gospel, 'The Son knoweth not the day;' or like the upright confessor who will and must say openly in court that he is ignorant of the things about which he is questioned in relation to a secret confession."' Möller-Kawerau, p. 133, observes: 'The Wittenberg divines (who had counselled Philip to lie to the world) were forced to listen to the following admonition from the Landgrave: "I will not lie; for lying is a sin, and no Apostle ever gave such advice to any Christian: yea, Christ has sternly forbidden it." As a matter of fact, however, this same Landgrave had repeatedly deceived his own sister by downright lying in connection with this same affair.' See Lenz, i. 332.

[2] July 27, 1540. Lenz, i. 385–388.

[3] Lenz, i. 388–399.

over it. 'He is terribly grieved about this scandal, but I am a tough Saxon and a sturdy peasant, and my skin has grown thick enough to bear such things. It's a fine thing for us men to be kept occupied; it makes us use our brains, whereas otherwise we only care to eat and drink.'

'How the papists will cry out! Well, let them scream, to their own perdition. If we have scandals among us, so had Christ in Judas. Oh, how the Pharisees must have mocked at the Lord Christ: see what sort of friends and comrades the new Prophet has; what good can come from Christ?' With most jovial countenance and hearty laughter he went on: 'God wants to plague the people. Well, if my turn comes I'll bring out my best weapons and let them see Marcolpho in the . . . because they refused to look him in the eyes. I am not going to make myself miserable about this business. In three months' time it will be all forgotten. Would to God that Melanchthon could see things in the same light!'[1]

Melanchthon's distress bordered on desperation.

What grieved him most deeply was that the Landgrave had deceived himself and Luther with hypocritical talk, making it appear that he wished for their advice to quiet the torments of his conscience. 'We were drawn into this business,' wrote Melanchthon to Veit Dietrich on September 1, 1540, 'not by Bucer, but by

[1] From the records in Strobel, ii. 416–419. 'Luther *attempted* indeed,' writes the Protestant theologian Hassencamp (i. 507), 'to get rid of his scruples as if they were merely sophistical papist arguments, and to persuade himself that he had done right in giving the dispensation; but he succeeded very badly. Occasional utterances which he let fall at this time respecting the Landgrave's bigamy show plainly that his state of mind was more often that of one in despair. Jesting and vulgarity alternate with words of prayer and threatenings.'

the Landgrave himself, by means of his pretended piety. He entreated our advice in a "case of conscience," and swore that this dispensation was necessary to him. We answered that the law was contained in the words, "They two shall be one flesh," but that if his necessity was so great he might resort to this means secretly and without open scandal. Moreover he threatened to apostatise if we refused to give him advice. Now I see that he is a man capable of villany of every description.[1] Nevertheless I liked him for certain merits of his. I had heard him discuss questions of the faith learnedly and eloquently, and I believed also that he was an enemy of idolatry' (that is, the Catholic Church), 'and for this reason I thought him a satisfactory leader. But he is an Alcibiades by nature, not an Achilles.' He spoke of the Landgrave in language similar to that which Henry of Brunswick[2] had used a couple of years before: 'I fear the beginnings of insanity which is hereditary in the family.'[3] 'You know the man,' he says to another friend, 'how cunningly and artfully he can contrive the way to the most abominable deeds and entice the unwary into his net.'[4]

Duke Ulrich of Würtemberg was as little disposed as the Elector of Saxony to take up the Landgrave's case publicly. In order to assure himself of 'the support and encouragement' of the Duke, Philip had confided to him in October 1540 that God, in punishment of his profligate life, had afflicted him with a shameful disease, and that, with a view to relinquishing for ever his evil courses, he had made a clean breast to Luther,

[1] '. . . est omnino *πανοῦργος φύσις*.'

[2] See above, p. 33.

[3] '. . . ac metuo *ἀρχὴν τῆς μανίας*, quæ est gentilitia illi familiæ.' *Corp. Reform.* iii. 1079.

[4] *Ibid.* iii. 1081. See iii. 1090.

Melanchthon, and other excellent divines. He sent the Duke a copy of their written advice, based on texts from Scripture, and also a statement of his wife's consent, who, he said, was then with child and living on very good terms with him. But Ulrich would not promise him any support, and exhorted him to abandon the project, which might strike a deadly blow at 'the Gospel.' Philip retorted that he could not comprehend how the affair could so sorely shock the Duke, 'seeing that your Grace on more than one occasion has made carnal use of us.'[1]

For the rest, the Landgrave said in a letter to Bucer, January 3, 1541, he cared mighty little for Ulrich's 'snorting and puffing;' he would even be ready to help expel him from the country, and set up his son Christopher as duke, if he could only feel assured that Christopher and the Dukes of Bavaria 'would maintain the Gospel in the land.'[2]

[1] See Heyd's *Ulrich von Würtemberg*, iii. 226–232. A fierce controversy arose between the Hessian and the Würtemberg divines respecting Philip's bigamy. The pamphlet against the Würtemberg theologians proceeded from the Landgrave's 'own head and impulse.' Referring to it in a letter to Bucer on November 29, 1546, Philip wrote that he had been obliged to 'lay it thick and fast on the backs of the theologians' (Lenz, i. 249–250). The Würtemberg theologians treated Luther and Melanchthon, and the other divines who had counselled the Landgrave's bigamy, without gloves. 'Wherever the New Testament alludes to marriage,' they maintain, 'monogamy is taken as a thing presupposed. Self-willed and stubborn must be the heads of those who, in opposition to the earnest stern reproofs of Christ and to His words that strike like lightning and thunder, throw to the winds the primeval institution of marriage, and screen themselves with examples from the Old Testament like men who strut about in worn-out hose.' It gives them no slight concern '*that we play such frivolous jokes with the Gospel and venture to adorn and defend carnal license, concupiscence, and lust with the name of God.*' Compare Heppe, *Urkundliche Beiträge zur Geschichte der Doppelehe des Landgrafen Philipp*, in Niedner's *Zeitschrift*, xxii. 281, note 20.

[2] Lenz, i. 302.

Philip having heard that the Saxon Superintendent, Justus Menius, was intending to proceed openly against him and to celebrate the virtues of the Elector at his (Philip's) expense, resolved to prevent this by making a disclosure which would excite consternation.

He wrote to Bucer: 'If these saintly men—this Junius and his crew—mean to amuse themselves by writing against us, they shall be answered. And we shall not leave hidden under a bushel how this most worthy and quite sinless Elector, once under our roof at Cassel, and again at the time of the first Diet at Spires, committed the crime of sodomy.'[1]

Now the laws of the Empire punished sodomy more severely than bigamy: death by fire was the penalty.

If such crimes on the part of the Elector came to be known — the guiltiness of one of the chiefs of the League of Smalcald brought to light by another of its chiefs—then indeed would the Protestants have reason to tremble for their cause. Therefore they must avoid on their part anything which might provoke the Landgrave to the accomplishment of this threat.

Justus Menius had written a pamphlet in which he had said: 'In the Holy Roman Empire and throughout all Christendom God's ordinance holds good, that every husband should have but one wife. If polygamy were

[1] Lenz, i. 302. The above accusation of Philip against the Elector is hard to reconcile with Ranke's statement (iv. 190): 'John Frederic was distinguished above all his contemporaries by the strict morality of his conduct.' Egelhaaf in his *Deutsche Geschichte im Zeitalter der Reformation* (Berlin, 1885) feels himself authorised to remark (p. 352, note): 'It is significant enough that Janssen should believe this passionate statement of the Landgrave without further evidence. Ranke, iv. 191, declares positively of the Elector 'that no profligate word ever passed his lips.' This assurance of Ranke, however, scarcely disposes at once of the Landgrave's clear and definite accusation.

to become lawful, hopeless anarchy would be introduced into civil administration. If this license were conceded to one of high rank, it could not be denied to the populace, and the result would be to demoralise and brutalise the nation. If, on the other hand, great personages were privileged to have two or more wives at the same time, while the common people were forbidden to have more than one, insurrection and bloodshed would be the consequence.'

By the advice of Luther and Chancellor Brück the Elector in 1542 prohibited the printing of this pamphlet, because 'it would give rise to great disputation and division among the theologians, which would be prejudicial to the word of God, while the papists would make merry over the schism.' [1]

The Landgrave Philip on his part had already at the time published a defence of polygamy.

In July 1540 he had written to Bucer: 'It is not our intention to raise the question whether or not bigamy should be made lawful for all. We will reserve this point for the consciences of you learned doctors.' [2] It was 'a strange thing,' he said, to expect of him not to allow his preachers 'to defend the legitimacy of bigamy or polygamy as a dispensation of God in cases of necessity.' [3]

He then made arrangements for the publication of a pamphlet which was designed to prepare the people for a transformation of family life.

This treatise, composed by the preacher Lenning under the assumed name of Hulderich Neobulus, was entitled 'A Dialogue; or, a Friendly Discussion between

[1] Schmidt, *J. Menius*, i. 256–262; *Corp. Reform.* iv. 761.
[2] Lenz, i. 203–204. [3] *Ibid.* i. 302.

Two Persons as to whether it is in accordance with or contrary to Divine, Natural, Imperial, and Ecclesiastical Law to have more than One Wife at the same Time.'[1] It states reasons and objections for and against polygamy, and debates whether or not the prohibition of the custom has arisen from a false interpretation of Holy Scripture, and may not be traced back to popish tyranny.

In the Old Testament we read that God allowed the patriarchs to have several wives at the same time, and polygamy, therefore, could not be sinful according to the law of Christ. In none of the ancient canons was it forbidden in express words to have more than one wife. It was only after the times of the Apostles that, owing to an exaggerated estimate of celibacy and false views concerning abstinence and self-mortification, human nature was debarred of the freedom permitted by God. It was through misunderstanding that men had arrived at the conclusion that holiness and the heavenly life consisted in inflicting suffering and fatigue on the body, in praying and living in solitude, and that monasticism had come to be looked on with such reverence. It was, therefore, not to be wondered at that the good pious fathers had been filled with holy horror at the idea of a man having two wives, and that they had imposed special penance on offenders of this sort. Then canons had been framed and Church regulations, such as the rules of fasting, &c. But it is not in any such ecclesiastical laws that true and eternal

[1] There is no mention of place or time on the title-page. 3 sheets in 4to. At the end we read: 'Laetare Sunday [March 27], 1541.' This was the day on which the Landgrave arrived at the Diet of Ratisbon, bringing the *Dialogue* with him. See Lenz, ii. 26, note 5.

right is to be found, but only in the canons that are contained in Scripture.' 'As for the decrees and ordinances of the holy fathers, they are just as likely to be false and mistaken in what they enjoin or forbid as in what they lay down as true or untrue, lawful or unlawful.'

With regard to imperial legislation, the 'Dialogue' points out, among other things, that the Emperor Valentinian had expressly sanctioned bigamy, and that there are instances of emperors and kings who had more than one wife, and concubines as well. True the Popes, after 'they had got the rope round the emperors' necks,' would not tolerate such behaviour in these 'heroes.' But since the law of Valentinian allows what God Himself has authorised and tolerated, let us recognise its value and efficacy among ourselves, albeit through misunderstanding and misdirected zeal it has fallen into desuetude. A pious God-fearing woman who discovers in her husband a leaning towards bigamy should, in order to avoid scandal, graciously give her consent. But in the case of her refusing it 'the call of God and the heaven-sent impulse should be preferred to all human promises, laws, claims, and ordinances.'

Bucer was universally regarded as the author of this 'Dialogue,' and, as he had received from the Landgrave a present of 100 gold florins, he was accused of having been bribed.[1] He could indeed truthfully deny that he

[1] Against the *Dialogue*, and against Bucer as its supposed author, there appeared a pamphlet entitled '*Wider das unchristlich Gesprächbüchlein von vile der Eeweiber, so durch eynen geschwinden aufrührischen Sophisten (der sich erdichter weiss Huldreych Neobulus nennen thut) gemacht ist, eyn kurz Gedicht, darinnen gemelter Neobulus mit seinem eygenen Farben ganz artlich ausgestrichen wirt.* Contra adsertorem Polygamiæ' (without place or year, 3 sheets in 4to, probably of the year 1542). In this satirical poem Neobulus and an old and a young

had 'either written the pamphlet or caused it to be published.' But he had looked it through and improved

man converse together. The old man laments that this new doctrine of polygamy has come too late for him to profit by it; the young man, on the other hand, expresses his gratitude to Neobulus:

'Thou art a prophet of high worth;
God give thee health upon this earth,
For in our age it is thy part
Of Venus' sons to cheer the heart.'

Neobulus explains his mission:

'To earth I'm sent by God's command,
A prophet in your German land;
To sons of Venus I now bring
A message truly comforting.
So now, good pious man, go to,
And push the business bravely through.
I'll stand beside and succour you—
With God's commandments all compare,
And make the job with Scripture square.'

The following passage relates to Bucer, who is twitted with his Jewish origin:

'A Jew by race, a Christian cheat,
Full of sophistical deceit,
Is he who wrote this *Dialogue*,
A "Doctor" false, a wily rogue
Who travesties God's word and work,
Quotes Moses wrong, and tries
To blind the world with lies.
He simulates a pious part,
But fain would imitate the Turk,
And worships Mahomet at heart.'

Neobulus then breaks out in a fury:

'So then like wild cats I will spit,
And bite, and scratch, and claw,
Use calumny and devil's wit,
And rage just like a savage boar:
Abuse and slander every man,
As Dr. Luther so well can,
Who no reviling spares
To any one who dares
Deny what he declares.'

Strobel, ii. 423–427, points out that the term 'wild cats' is in allusion to Bucer, 'whose *Explanationes Psalmorum* were published under the name of *Aretii Felini*.' The passage 'Woher der Butz komm auf die

it here and there, under promise from the Landgrave that it should only be sent to trusted friends. Philip, however, had the 'Dialogue' disseminated through the book trade and put up for open sale in Leipzig, and at first he busied himself as much as possible personally to procure numerous readers. 'I always had a horror of the "Dialogue's" being printed,' Bucer wrote to the Landgrave on November 30, 1541, 'for I have learnt by plentiful experience that God in these days does not bestow on all people a full understanding in this matter, and that the situation is only made to appear worse in the eyes both of the good and the bad by constant explanation and justification.' Philip wrote to Bucer on December 17 that he need have no anxiety. 'As for the publication of the "Dialogue," we should have regretted if it had not been made public. Here in our land it has given satisfaction to many people. Let the rest curse and rage against it as they like; they will not be able to upset it with any show of reason or truth, especially if they have any regard for God and His truth; but the world and its wiselings care little for the things of God, and much prefer reading Ovid, Virgil, and other such poets to studying what God has taught and permitted.' At the end of the letter he repeated: 'We find verily but few people in these parts, and also in the Saxon territory, who speak ill of the "Dialogue:" it is much oftener praised than vilified. We have not yet met any one who could say with conviction that this "Dialogue" was unrighteous and opposed to God.'[1] In Strasburg, on the other hand, there

Bau,' &c., is aimed directly at him. The author of this satire is probably Michael Hahn of Strasburg; see Bucer's letter to Philip of Hesse of April 14 and 15, 1542, in Lenz, *Briefwechsel*, ii. 81.

[1] Letters in Lenz, ii. 26, 29, 38–39, 44–45.

was great fear among 'pious people,' as Bucer informed the Landgrave on March 21, 1542, that this pamphlet would cause great hindrance to the Gospel, and be as great an obstacle to it as the peasants' insurrection, or the dispute about the Sacrament, or the Münster tumult.'[1]

Luther had intended publishing a pamphlet which he had written against the 'Dialogue.' In a still extant fragment of his treatise he says, in resolute language: 'This is what Doctor Martinus has to say about the book of Neobulus: Whosoever follows the teaching of this rascal and his book, and on the strength of it takes to himself more than one wife, and makes out that it is lawful so to do, may the devil bless him in a bath at the bottom of hell! Amen. Thanks be to God I shall know how to maintain and defend my opinion even if it should rain down Neobuluses and Nebulones and Tulrichs and any number of other devils for a whole year.'[2]

But when the Landgrave Philip visited Luther at Wittenberg, in order to prevent the publication of the pamphlet, Doctor Martinus 'played a milder tune on his lute.' On May 16, 1542, Philip wrote on the subject to Bucer: 'Concerning Luther's pamphlet against this "Dialogue" we will not conceal from you that we have lately been to Wittenberg and discussed all these matters with Luther himself, telling him how we came to publish the "Dialogue" and conversing with him on all manner of questions. He expressed himself satisfied with us and promised to keep back the pamphlet. He then proceeded to point out that the "Dialogue" was too weak in some of its arguments. He had not known,

[1] Lenz, ii. 65. [2] *Collected Works*, lxv. 209.

he said, that it had originated with us; had he been aware of the fact he would not have made an attack on it. He remarked that the example of Lamech was a feeble, insufficient argument, and said it would be best to cite only instances from the lives of the patriarchs, then the necessity which occasionally exists, and lastly the authority of Moses, who writes: "If among the captives of war thou seest a beautiful woman and lovest her, she shall be thy wife." Married men are not excluded, as they too went to war. And again: "If a man seduce a virgin not yet espoused, and the father will give her to him, he shall have her to wife." It ought also to be mentioned that at one time it was a recognised practice at Tübingen to add a second wife to the first. These reasons would have been sufficient to stop the mouths of opponents, without adducing so many arguments which for the most part were not solid ones.' It was better to say a few things well than a great many loosely.[1]

[1] Lenz, ii. 82, 83; ii. 68–70, 75–76. Letters of Philip to Bucer of March 26 and April 3, 1542.

## CHAPTER XIV

THE EMPEROR'S EFFORTS AT RECONCILIATION WITH FRANCIS I. OF FRANCE—FRANCIS I. AND THE SMALCALD CONFEDERATES, 1540—DIET AND RELIGIOUS CONFERENCE AT RATISBON, 1541

In order to 'restore lasting peace to Christendom and to deprive the Protestants of the support of France,' the Emperor, ever since the truce concluded at Nizza, had devoted all his energies to bringing about complete reconciliation and a close alliance with the French King.

Before his departure from Spain he had, in November 1539, drawn up instructions for his son Philip, which in case of his own death were to serve Philip as a political code. 'As regards the King of France,' he says in these instructions, 'God knows that we were not ourselves the originators of the wars which we carried on with him, that we have always lamented in the extreme all the evils consequent on them, and that we have used all possible means to arrive at amicable terms with him.' 'Philip was henceforth to maintain and consolidate the good understanding brought about with Francis I., to forget all the injuries sustained from him, and to ascribe them solely to the providence of God and the misfortune of the age.[1] On

[1] '. . . oblie entièrement toutes les choses mal passées entre le dit roy et nous, tenant que le createur l'aye permis et l'imputant à la malheurté des temps.'

his journey to the Netherlands, the Emperor goes on, he will make further endeavours in person to win the heart of the King, in order that they may be able to work conjointly for the general good of the Christian nations. He was ready to give his daughter Maria in marriage to the King's second son, the Duke of Orleans, and to bestow the Netherlands on the young couple; the late Empress, Philip's mother, had approved of this plan. He also intended, for the further cementing of his friendship with France, to propose a marriage between a daughter of the French King and the second son of King Ferdinand, on whom he would then bestow the duchy of Milan. And in order to put an end to all strife with regard to Navarre Philip was to contract a marriage with the heiress of Navarre. 'In negotiating these alliances,' Charles reiterated, 'we shall always have in view the healing and ordering of the affairs of Christendom, as regards both the pacification and conversion of the wanderers from the holy faith and resistance against the Turks.'[1]

[1] 'Et est nostre intencion, en traitant les alliances susdites, tousjours joinctement articuler le remède et provision des affaires publicques de la crestienté, tant de la pacisfication et réduction des desvoyez de nostre très-saincte foy que contre le Turcq.' *Instruction de l'Empereur Charles-Quint*, &c., dd. Madrid, 1539, Nov. 5, in Weiss, ii. 549–561. The Emperor's wife, Isabella of Portugal, had died on May 1, 1539, to the deep grief of Charles. 'During their short married life of thirteen years,' writes Baumgarten, iii. 362–363, 'he was separated from her by distant journeys for six years: it is not known that he was unfaithful to her. When, in the following summer, the ambassadors from the other sovereign powers came to express their sympathy at her death, his eldest sister, Eleonora, thought fit to recommend another marriage for him; but he rejected the idea. He never entertained the thought of a second marriage. The memory of his beloved wife went with him to the grave. Every year he had a solemn service held on the anniversary of her death, and never failed to attend it himself. Both these Habsburg brothers set an example of immaculate conjugal fidelity to the world in contradistinction to the unedifying stories of the French King's *amours*, of Henry VIII.'s brutal

King Ferdinand, who had joined the Emperor in the Netherlands, strongly disapproved of the proposed marriage between his son and a daughter of the French King, and also of the cession of Milan. He had plenty of good reasons for distrusting Francis, the ally of the Turks. Charles, however, did his best to carry out the plan laid down in his instructions to Philip. On March 24, 1540, he ordered his ambassador at the French court to make the following proposals: He offered to give his daughter Maria in marriage to the Duke of Orleans, and to cede to him the Netherlands, Burgundy, and Charleroi, and also the duchy of Guelders and the county of Zütphen, as soon as these should have been taken from the Duke of Cleves with the assistance of the French. The Emperor further offered to renounce all his claims on the duchy of Burgundy: in return the King must renounce his claims on Milan and restore to the Duke of Savoy the territories taken from him.[1]

But Francis I. was not inclined to renounce either the imperial fief of Milan or those of Piedmont and Savoy. He flatly refused indeed to give up the last two. With regard to the Netherlands he stipulated for conditions by which his right of possession over Milan would be guaranteed.[2] 'Milan had been wrested from him,' he

sensuality, and of the disreputable lives of some of the Protestant princes; and among the princesses of that period few could compare in purity of heart with Isabella and Anna. The worth of a prince is not indeed determined by his matrimonial life, but his personality is greatly influenced by it. None more than Charles's contemporaries, Francis I., Henry VIII., and the Landgrave Philip, stand out as examples of the baneful influence which a degraded sensual life exercises on princely politics.'

[1] Charles V. to Bonvalot, in Weiss, ii. 562–572. Cf. the Emperor's letter to Francis I. in Lanz, *Correspondenz*, ii. 309–310.

[2] The Royal 'Instruction et Résolution' in Ribier's *Lettres et Mémoires d'Etat des Roys, Princes et Ambassadeurs, etc., sous les Règnes de François I^er^*, &c., i. 509, 522.

said to the nuncio Ardinghello, who was commissioned by the Pope to try to persuade him to accept the Emperor's proposals, 'and therefore he wished that this duchy should now be restored to him in the person of his son.'[1]

In June 1540 the negotiations were broken off and the imperial ambassador reported that 'in France strange things were already being said against the Emperor, and threats were uttered of doing him as much injury as possible.' 'With the French people,' wrote Ferdinand from Hagenau to his sister Maria, 'no amount of reason or honour is of any avail; if these had been of any use the Emperor must have prevailed, for he has shown more than enough of both.' 'I fear France will go from bad to worse, for neither the King nor his representatives with whom we have to deal are of any good, nor is it likely that they will grow better as they grow older.'[2]

Already during the negotiations with the Emperor Francis I. had contracted fresh alliances with the Smalcald confederates, and had intimated to the people of Strasburg, through Guillaume du Bellay, that he would no longer remain on friendly terms with the Emperor, least of all would he ally himself with him against them.[3] The Elector of Saxony, on June 24, insisted that Strasburg should inform itself more definitely from 'the man from France' whether 'the split between the two great Powers was a certainty, and how they could arrive at some sort of private understanding with Francis I.' He was not prepared to send an embassy to France until this information

[1] Bucholtz, iv. 387–388. [2] *Ibid.* iv. 395.
[3] Seckendorf, iii. 258.

had been obtained; for otherwise, he wrote to Philip of Hesse, the same thing might happen as before 'when we both sent our envoys to him, and when we thought we should certainly come to a satisfactory understanding we found that matters had taken quite a different turn, and our adversaries became very boastful and scornful towards us.'

At the religious conference at Hagenau the Strasburg delegates, Calvin and Sturm, were active in advocating Francis I.'s ends with the Protestant notables, and Calvin, in reward of his services, received a written testimonial of thanks from the French King's sister, Margaret of Navarre, with whom he was in correspondence through his friend Johann Sleidan. Francis I. caused Calvin to be requested to continue his good services to the crown of France in the future also.[1] John Sleidan, of Sleida, in the district of Cologne, later on the historian of the Smalcald League, was, like Sturm of Strasburg, in the pay of the French King, and was sent by the latter to the convention of Hagenau for the purpose of hindering the reconciliation of the Smalcald confederates with the Emperor, and of influencing the Hessian councillors to move the Landgrave to manage an alliance between these confederates and France.[2] Sleidan 'was a good Christian,' Bucer assured the Landgrave, 'who would gladly help to get rid of the Antichrist,' the Pope. A second delegate of the French King assured the Hessian councillors at Hagenau that his sovereign's endeavours were directed towards healing the breach between the German Estates and

[1] Margaret of Navarre's letter to Calvin, July 25, 1540, in *Calvini Opp.* xi. 62. See also Kampschulte's *Calvin*, i. 331–332.

[2] Schmidt, *J. Sturm*, pp. 49–50; Baumgarten, *Sleidan*, pp. 54–58.

'maintaining the freedom of the German nation and the Holy Empire;' closer details as to the King's intentions he would communicate to a confidential agent of the Landgrave. Philip sent the following answer to the French envoy: 'He was well pleased with the communications received; he was fully disposed to enter into friendly relations with Francis I. and would send an ambassador to France. He begged the French plenipotentiary to inform him whether the King was ready 'to enter into an understanding with several princes, or with one alone.'

To the Elector of Saxony, on the other hand, who was urging him on to this alliance with France, Philip declared in August that he could only consent to it if the Smalcald confederates assured him of their support in the matter of his double marriage.[1] In a letter to Bucer he accused the French King of ingratitude. 'When the Emperor was at war with Francis I.,' he wrote, 'we gave him no help against the French, but, on the contrary, we twice sent the French King soldiers, which was no slight service at that time, and a service which we should have refused to our neighbours on the Rhine and to others. The Frenchman, however, never thanked us for this help.'[2]

In order to gain the favour of the Emperor the Landgrave lost no time in acquainting him with these intrigues of the French King with the Protestant princes. In October he sent Doctor Siebert, of Löwenberg, on a secret mission to the minister Granvell at Brussels. As Granvell was absent at the time, Cornelius Scepper was deputed by the Emperor to confer with Siebert in his stead. Siebert disclosed to him the purport of his

[1] Lenz, i. 491.

[2] To Bucer, Dec. 3, 1540; Lenz, i. 254.

mission, which was as follows: 'If the Emperor could receive the Landgrave into his favour and forgive him his past offences, he, Philip, would be loyal and obedient to him in war and in peace, and would give him help against the Turks, or other foreign enemies. The Elector of Saxony and other German notables, he thought it right to reveal to his Majesty, had in July last sent an embassy to Francis I. for the purpose of negotiating an alliance between him and the Protestants. The Landgrave alone had been the means of hindering this alliance, although he was still daily urged by his fellow confederates to consent to it.[1] Philip was convinced of the Emperor's good and pacific intentions, and was ready to disclose to him all the secret machinations of the French King.' 'It seems,' wrote Scepper, overjoyed, to Granvell on October 20, 'that God has changed the heart of this prince.' On October 28 Siebert received the following answer in the name of the Emperor: 'Past experience shows that it has never been the wish of the Emperor to proceed to force against the German princes; his undivided efforts have always been directed towards the restoration of peace and unity in Germany; if the Landgrave intends to persevere in his goodwill towards the Emperor, let him enter into closer negotiations with Granvell at the convention in Worms.'

At the end of November these negotiations took place at Worms through the instrumentality of Siebert and the Hessian Chancellor, Feige. Philip sent in to the Imperial Minister the articles on which he desired

[1] '. . . que ne tenoit que audit Lantgrave seul que ladite alliance n'avoit esté piece concluyte et parachevée, et se trouvoit journellement pressé de ses complices pour la concluyre.'

to base an agreement with the Emperor. In the matter of the double marriage secrecy was to be maintained towards Granvell. Granvell made concessions of all sorts—granted, by word of mouth in the name of the Emperor and King Ferdinand, an assurance of favour and forgiveness, and added the advice that Philip should not fail to attend the Diet at Ratisbon. 'At that assembly,' wrote the agents on December 31, by order of Granvell, 'all these matters will be transacted with his Imperial Majesty himself, and your princely Grace will leave the Diet with a contented mind.' [1]

But already during the transactions at Worms the mind of the Landgrave underwent a change.

When Francis I. sent him, through a delegate on November 28, a fresh proposal for an alliance 'on behalf of German freedom,' he answered that the matter was to be dealt with at the next assembly of the Smalcald confederates.[2] 'We do not wish the embassy to France respecting the alliance to be stopped,' he wrote to Bucer on December 30, 'but the difficulty is to extricate ourselves with decency from the business begun with Granvell.'

'Concerning the hue and cry about the double marriage' Philip wrote to King Christian of Denmark on January 6, 1541: 'The French King cares "nothing."' [3] 'He has negotiated with us with regard to our forming an alliance or an agreement with him;

[1] Lenz, i. 502–529.

[2] '. . . de foederis oblatione agendum esse in proximo foederatorum conventu.' Seckendorf, iii. 259.

[3] When the easy-going King of France, who had lived himself in open adultery, heard of Philip's bigamy, he laughed and said: 'Why, if such men are to be banished, what will become of me? I care nothing for it: if the Protestants will only send me an embassy, the matter will be settled in two days.' Lenz, i. 270.

but we shall not come to any decision till we have finished our transactions with his Imperial Majesty.'

Such was the state of mind in which Philip went to the Diet at Ratisbon.

On February 23, 1541, the Emperor made his entry into Ratisbon without any state and with only a meagre escort. 'I heard it remarked by many,' says one who was present, 'that his horse was a most costly one; but otherwise he had little of value in his apparel.'

Greatly to the Emperor's annoyance, the notables, according to ancient habit, were so tardy in arriving that the Diet could not be opened till April 5. Charles had done everything in his power to remove all possible excuses that might keep the Elector of Saxony from attending. He had temporarily suspended all legal proceedings of the Imperial Chamber in matters of religion, especially the sentence of outlawry against Minden and Goslar; had personally invited the Elector to attend the Diet, and had granted him unconditional freedom to leave before the close of the meeting, which, according to ancient usage, could not be done without permission from the Emperor.

The Elector, however, was determined not to meet the Emperor at a Diet, and he took the opportunity for beginning preparations for an attack on the bishopric of Naumburg-Zeitz, which necessitated his presence in Saxony.

'To yield obedience to the Emperor,' Luther wrote to the Elector, 'would be right and fitting if he were really Emperor and the rightful Emperor.' 'The Emperor is not Emperor in fact, but the devil at

Mayence, whose wicked wiles are unfathomable, rules with all his crew.'

The Archbishop Albert of Mayence, who celebrated the High Mass in the cathedral before the opening of the Diet, ' was made the subject of especial ridicule and insults.' ' There was an overpowering concourse of people in the cathedral. The Smalcald confederates carried on shameless mocking that cannot be described.'

' This state of things went on all through the Diet ; there was an inconceivable amount of jesting at all that appertained to the worship of God and the ceremonies of the Church.' In the very face of the Emperor the populace jeered loudly and insolently when Charles went through the ceremony of washing feet on Maundy Thursday and joined in the processions. ' The Emperor with his wonted moderation was like a lamb among wolves compared with the feasting, carousing princes.' ' In short, it was plain to see to what licentiousness the people had sunk, both high and low, now that nothing sacred was any more respected. They were, however, ever ready to discuss religion, thus increasing contempt for it as containing nothing certain.'

The Emperor behaved with the utmost lenity and long-suffering to the Protestant notables and theologians. Melanchthon thought his whole demeanour admirable, and had no doubt whatever that he was earnestly desirous of bringing about an amicable settlement of the religious dissensions.[1]

[1] See Melanchthon's letters in the *Corp. Reform.* iv. 141–142, 146, 148. Bucer also did not doubt the Emperor's pacific intentions. See his letter of January 10, 1541, to Joachim of Brandenburg, in Lenz, i. 531.

When the Dukes of Bavaria recommended measures of force against the Protestants, Charles declared emphatically that he had not enough money to carry on war, but that even if he had an abundant supply he would not squander it unnecessarily in Germany fighting of this sort would be all the more deplorable as Germans would have to fight against Germans, and all the more useless as the Protestants, even if defeated, would not give up their opinions. It was also to be feared that in the event of war they would summon the King of France and the Turks to their assistance.[1]

The papal delegates, Contarini and Morone, were convinced that the Bavarian Dukes were advising war not out of zeal for the Catholic religion, but in order to increase their own power. 'It has not escaped the notice of these Dukes,' Contarini wrote to Rome, 'how the Landgrave of Hesse and the Elector of Saxony rose in greatness and importance by becoming heads of the Lutheran party; they wish, accordingly, to obtain similar advantages by making themselves leaders of the Catholic party, and, as they have no pecuniary resources themselves, they mean to conduct the war with the money of the Pope and the German clergy.'[2] 'The Bavarians carried on dealings with both parties.' 'It is

[1] To Contarini the Emperor remarked that he would have no league with pretended Catholics, like the Dukes of Bavaria, who, in one way or another, were always robbing the Church; it would only involve him in wars for their personal interests: no one supported him against the Turks; every man looked solely after his own, so would he. (Dittrich, *Regesten*, pp. 199–200.)

[2] Pastor, *Contarini*, p. 23; Dittrich, *Regesten*, pp. 161–162, No. 642. Amazing revelations concerning the diplomacy of Chancellor Granvel and the plottings of the Catholic party chiefs appear in the reports of the nuncio Morone, published by Dittrich in *Hist. Jahrb. der Görres-gesellschaft*, 1883, pp. 401 ff.

impossible to rely on them,' said King Ferdinand, 'for their ways are slippery and tortuous.' While the Dukes William and Louis were advising the Emperor to proceed to forcible measures against the Protestants, and at the council board of the Princes at Ratisbon were 'handing in a fierce protest against them,' the Chancellor Eck urged on the Landgrave of Hesse that they must not consent to the friendly negotiations desired by the Emperor in religious matters; the Catholic and Protestant nobles, he said, must arrive at an understanding together independently of the Emperor.

A similar line of policy was pursued by Francis I. of France. He called Eck 'his dear and excellent friend.' In July 1540 he had already proposed to the Elector of Saxony that the Protestants and Catholics should join together in an alliance with France, and had then urged that the Protestants should, above all, endeavour by all manner of means to win over the Archbishop of Cologne and the Elector of the Palatinate. His object was to form a league of German princes against the Emperor, under French protectorate, for the preservation of so-called 'German freedom.' [1]

To Georg von Planitz, whom the Elector of Saxony sent to him during the Diet at Ratisbon, 'he made promises of such a nature that we had no doubt whatever,' wrote the Elector to Philip of Hesse, 'that with

[1] The Venetian Giustiniani wrote in the year 1541 that terror reigned throughout Germany: 'Che casa d' Austria è ententa alla monarchia della Germania . . . che sua maestà cesarea si vuoi fare libero signore della Germania e dell' Italia con consentimento di Francia.' 'Tutti i principi germanici, parlando universalmente, sono contrarj alla grandezza di Cesare; e par tal cagione hanno favorito e difeso questa setta lutherana eretica, non perchè zelus fidei li mova, ma perchè con la religione hanno voluto tirar nell' opinione loro tutti i popoli contro questi due gran fratelli, de' quali molto temono.' Albèri, Ser. I. vol. ii. pp. 130–133.

the help of his Royal Majesty we should now be able to oppose a substantial front to our enemies.'

Francis I. had accredited two envoys to the Diet at Ratisbon, the one to dissuade the Catholics, the other the Protestants, from any sort of accommodation. To the papal nuncio at his court the King expressed fears that Contarini was making too great concessions to the Protestants at Ratisbon. The Pope and the Church were in danger, owing to the obsequiousness shown to the Emperor; he would defend Pope and Church, he swore, with his life and with all the forces of his kingdom. At the same time he assured the Protestants that their doctrines were not displeasing to him; he was anxious to come to an understanding with them in matters of religion by the help of Melanchthon, whom he had invited to his court.[1]

'The greatest service that you can render me,' wrote Francis I. to one of his ambassadors, 'is to take care that nothing happens, or is decided at the Diet, which can be turned to the profit of the Emperor or the King of the Romans, or which can increase their greatness.' Having possessed himself by force of arms of the imperial fief of Savoy, he now wanted to obtain a seat and a vote among the princes of the Empire, and to this end the Protestant notables were to be helpful to him.[2]

In spite, however, of the ardour with which Francis I. strove to keep up the religious schism in Germany, and the consequent feebleness of the Empire, it was not he, after all, who was essentially to blame for the failure of all attempts at accommodation. Neither

[1] Ranke, *History of the Popes*, i. 167; Pastor, *Reunionsbestrebungen*, p. 251.

[2] Report of the Saxon ambassador, June 11, 1541, in Seckendorf, iii. 366.

was it the fault of the Elector of Saxony, although the latter was open-mouthed about his abhorrence of the idea of peace with the Catholics, 'those murderous, idolatrous hordes.' [1]

The cause of the failure lay deeper down than this.

In the imperial cabinet the religious question was treated 'in too mundane a manner;' they wanted to settle doctrines of the faith in the same manner as political matters. The minister Granvell especially took up this standpoint. On the Catholic side they were afraid, and rightly so, of his 'unholy practices.' [2] As the Archbishop of Lund had done before in Frankfort, so now here Granvell told the Protestants in confidence that if they came to an agreement the Emperor 'would have regard neither to the Pope's wishes nor to those of the opposite party,' the Catholic Estates; 'for his Majesty,' he said emphatically, 'is the greatest sovereign in Christendom, and he will act according to his own interest, and will care for nobody.' He believed he would be able to move the Emperor to this course, but he did not wish to appear outwardly too much in favour of the Protestant party, so as to avoid exciting suspicion among the Catholics. 'Only leave it all to me,' he said to the Hessian Chancellor, Feige; 'you are always too anxious to make me compromise myself; if I become suspected I shall be unable to do anything.' [3]

[1] See Pastor, pp. 261, 264. The secretary of the legate Contarini ascribed the blame of this to Francis I. and the Elector. They had sown dissension among the theologians, and so managed that 'it was impossible for them to agree on any single article.' See Pastor, p. 251.

[2] Bucholtz, v. 387, note.

[3] See Feige's remarkable report of December 30, 1540, in Lenz, i. 524–525.

The Protestants 'hoped to achieve great things through so honourable a man as Granvell.' They were delighted that the Emperor had chosen him, and the Count Palatine Frederic, who was equally favourable to this cause, as presidents of the religious conference opened on April 27. 'The presidents of the conference,' wrote Duke Christopher of Würtemberg to his mother on the opening day, 'are Duke Frederic and von Granvell; let us hope that we shall now all become Lutherans.'

As the Catholic collocutors of the conference the Emperor had appointed the theologians Eck, Julius Pflug, and Johann Gropper; as the Protestant ones, Melanchthon, Bucer, and Pistorius von Nidda. On the basis of the so-called 'Ratisbon Book' laid before them by the Emperor they came to terms about an equivocal statement concerning justification, which was to cover the existing breach; also about a few other articles.

But with regard to the doctrines of the Church, the Papacy, and the Councils, also the Eucharist and the Canon of the Mass, it was as impossible then as in the year 1530 to arrive at unification. On the Catholic side Eck rent the web asunder with a firm hand, and secured the gratitude of the orthodox party. The Catholic 'middlemen' played as shabby a *rôle* as those of the Protestant party. Melanchthon and Bucer, wrote Calvin from Ratisbon on May 12, 'drew up equivocating and ambiguous formulas on transubstantiation, seeking to hoodwink their adversaries. They were not afraid to deal in equivocal phrases, although there is nothing more mischievous.'[1] Luther counted Bucer among the 'false brethren,' who are more dangerous 'than

[1] *Calvini Opp.* xi. 217.

all enemies, like Judas.' 'There is no middle course, and words are of no avail,' said Eck; 'those who wish to become one in the faith must submit to the Pope and the councils, and believe what the Roman Church teaches; all else is wind and vapour, though one should go on disputing for a hundred years.'

The Ratisbon attempts at unification failed, because they were bound to fail. The fault lay not in the influence of this or that personality, but in the nature of the business itself, in the effort to unite irreconcilable opposites.

These religious conferences served to advance the cause of the Protestants by affording them an opportunity for spreading their doctrines. On the other hand it was disadvantageous to the Catholics, because it made it appear necessary 'to discuss in the presence of secular judges points of faith which had long ago been firmly established by the Church.' 'These religious conferences, private and public,' wrote Bishop Nausea, of Vienna, in a memorandum drawn up for King Ferdinand, 'bring the Christian religion into ridicule with foreign nations and with unbelievers, and are the cause of incalculable injury to our faith.' [1]

'Nobody, indeed, among the Catholics doubted the honourable intentions of the Emperor, but Carolus was entrapped, and somewhat inexperienced in German affairs and in the German temper and character;' he had not grasped the essential nature of the schism in the Church and of the whole politico-clerical revolution. Granvell, Naves, and Lund, 'those three evil spirits,' as Vice-Chancellor Held called them, were actively engaged at Ratisbon, endeavouring to keep the Emperor at the

[1] Pastor, *Reunionsbestrebungen*, pp. 283 ff.

work, 'notwithstanding the manifest impossibility of effecting a reconciliation, and egging him on to interference in matters of religion which do not belong to his office.' They incited him to engage in further transactions with the Elector Joachim of Brandenburg and with the Landgrave of Hesse, who both declared themselves willing to submit to mediation and represented themselves as 'loyal servants of the Emperor.' Philip's double marriage obliged him to adopt this course of action.

In a secret compact with the Emperor Philip pledged himself, on June 13, to do all in his power to bring about a religious accommodation at the present Diet, and at all future Diets to work for the Emperor's cause; to recognise Ferdinand as King after the Emperor's death; to contract no alliance with France, or England, or any other foreign Powers, and not to consent that Francis I. and Henry VIII. and the Duke of Cleves should be admitted into the League of Smalcald. He promised not to make an attack on either of the parties concerned in the Cleves-Guelders dispute, nor to supply the King of France with troops from Hesse or other German countries, to fight against the Emperor or his sister the Governess of the Netherlands. The Emperor in return took Philip 'into his special favour, friendship, and protection.' He granted him forgiveness 'for all his past proceedings, and for all that he had been thought to have done against himself and Ferdinand, or against the imperial laws and the constitution of the realm,' and promised that 'neither the Emperor nor his brother, nor the imperial court of exchequer, should proceed against the Landgrave, his country, or his dignity.'

Thus Philip was secretly secured against all punish-

ment and every claim of justice on account of his bigamy, and delivered from all anxiety with regard to the worldly consequences of his crime.

This compact was an act of suicidal policy on the part of the imperial cabinet.

Charles might flatter himself that he had bound the Landgrave indissolubly to his cause. But the treaty contained clauses which would give Philip at every turn loopholes for fresh open defiance.

Philip had promised to conduct himself as an obedient prince and feudatory towards the Emperor and his brother; but the saving clause was added, 'except with regard to the religious question, the League of Smalcald, and other leagues still to be formed by the followers of the Augsburg Confession.'[1]

Under the pretext of religion the Landgrave, in spite of his pledges, could resume his former attitude of antagonism to the Emperor and overthrow all existing conditions of law and property. At the very same time that he was making this agreement with the Emperor he was secretly planning an overwhelming attack on Duke Henry of Brunswick, which was to deprive the Duke of his domains and his people of their Catholic religion.

The Landgrave had got all he wanted by this agreement. And whereas he had promised in it 'to do all he could at the present Diet to promote unity in religion,' he took his departure from Ratisbon on the very day after the signing of the contract.[2]

The Elector of Brandenburg still went on actively with his efforts at mediation. At Granvell's instigation, he

[1] Rommel, ii. 434–436.

[2] See Bruns, *Vertreibung Heinrich's von Braunschweig*, p. 74.

proposed that 'those articles about which the theologians had come to an understanding should be proclaimed in the Empire as doctrine common to both parties; but that the others, which could not be agreed about, should be left in suspense until the meeting of a Council, or some other means of decision.'

Meanwhile, however, the 'Ratisbon Book' had become 'hated by both parties.' On July 25, in an assembly of notables who accepted the Augsburg Confession, Melanchthon said that he had taken this book as the basis of the transactions, but that it was 'insidious to such a degree that he had been misled by it himself, and had at first, albeit indeed reluctantly, agreed to several things, and only afterwards discovered at what they aimed, and what was involved in them.' In like manner the book was rejected on July 1 by the Catholic College of Princes, who declared that it was 'full of errors, of inadmissible doctrine, and of quite novel expressions; one could not tell whether the author of it belonged to the Protestant or the Catholic party.'

When the Emperor, on July 12, counselled the Estates to consent to the resolution of the Elector of Brandenburg, the Protestants answered that 'with regard to the articles that had been agreed about they understood them in the sense that had been explained and settled in the Confession of Augsburg; as for the others, they simply could not deviate from their position.' On July 14 they proposed, in order that 'the agreement might be effected without delay,' that the Emperor should institute a reform of the clergy, and should consent to the Communion being administered in both

kinds, and to the marriage of priests. With respect to the articles of faith still under dispute, all ruling authorities were to be allowed to act according to their own judgment 'based on the Holy Scriptures.' 'The clerical subjects, or inhabitants, must conform to the regulations of the civil authorities under whose jurisdiction they dwelt.'[1]

Thus the civil rulers were to have power to dictate the religious faith of their subjects.

On July 17 the Catholic College of Princes also rejected the 'harmonised articles,' and the cardinal legate Contarini stated two days later that from the first he had wished to remit the decision in this matter to the Apostolic See and the Council, and that he must abide by this intention.

At the council-board of the Catholic Princes a discussion was raised on the subject of a document sent in by Duke William of Bavaria, describing the acts of violence and aggression committed by the Protestants during many years. 'The Protestants,' it says, 'clamour for peace and justice, but in their actions they violate both.' The Catholic Estates are continually attacked and molested by the Protestants 'on account of their religion, and great loss and injury are inflicted on them. Contrary to the commandment of God, in defiance of law and Christian conditions, the Protestants forbid them to preach the Gospel and the Word of God openly; their churches and their monasteries are seized by force, their subjects enticed away from them by all manner of devices, and taken under the shelter and protection of the Protestants; their religious foundations and property are torn from them mercilessly and

[1] *Corp. Reform.* iv. 469–474.

used for alien purposes ; the graves and monuments of the pious dead, both of high and low classes, are desecrated and destroyed ; the pictures and images of our Saviour Jesus Christ, of the chaste Virgin Mary, and of the dear saints are pitifully damaged and smashed to pieces.' ' The Catholics had no dearer wish than for peace and order and justice ; they too were clamouring for these, and not, like the Protestants, trying at the same time to upset them ; all that they asked was to be left in the enjoyment of their holy Christian faith and the ordinances of the Christian Church, and not to have their goods violently taken from them.' [1]

The majority of the College of Princes voted for submitting this document to the Emperor. They were fiercely opposed, however, on the part of the clergy by the Archbishop of Lund, who sat as Bishop of Constance, by the Bishops of Münster and Augsburg and the Abbot of Kempten ; and on the part of the laity by the Count Palatine Otto Heinrich, who was preparing to go over to the Protestants, and by the ambassadors of the Duke of Jülich-Cleves. As ' the opinions of the Council of Princes ' the document went up to the College of Electors. It was, however, rejected by them ; ' neither would they accede to Duke William's request that it should be published, but answered that it should be duly registered among the Acts.'

In the Electoral College the Protestants had the upper hand. Treves and Mayence wished all the articles indiscriminately to be held over for the decision of the Council. Brandenburg, the Palatine, and the deputies of the Archbishop of Cologne, who was already at the time occupied in protestantising his

[1] *Corp. Reform.* iv. 450–455.

diocese, wished to abide by the articles that had been agreed about until the meeting of a free Council or a National Assembly.

While these transactions were going on, news of a more and more threatening nature concerning the advance of the Turks kept on pouring in from Hungary. Great anxiety, therefore, prevailed 'to draw up a recess as soon as possible.'

In order to cut short the contention about 'the harmonised articles' the Emperor made the same proposal to the Estates that he had made nine years before: 'That the decision of the committee of theologians should be postponed to a General Council, concerning the summoning of which he would confer in person with the Pope on the occasion of his intended journey through Italy. If a General Council could not be held in Germany, he would endeavour to arrange for a National Council, and if the latter could not be assembled within the next eighteen months he would convoke another Diet, which he would attend in person. Meanwhile the Protestants must be bound over not to go against, or beyond, the articles with regard to which the theologians had come to an agreement at Ratisbon. The prelates were to be required to reorganise and reform their ecclesiastical regulations in accordance with the arrangements made with the legate for the better administration and control of the Church system. The peace of Nuremberg must hold good till the meeting of the Council or the Diet; the cloisters and religious foundations must henceforth be left undisturbed, and the clergy must not be deprived of the taxes and revenues which they still possessed. Furthermore, the Protestants must not attempt to force or induce

anybody to come over to their side. All sentences and legal proceedings in matters of religion or other matters, concerning which it had been disputed whether they were included in the Nuremberg treaty of peace, were to be suspended till the holding of the contemplated meetings. Exclusive of these matters the Imperial Court was to retain its accustomed authority, and nothing was to be withdrawn from the Augsburg recess.

The Emperor wished all these articles to be recorded in the recess.

The article concerning the clerical taxes and revenues, so the Frankfort delegate, Johann von Glauburg, wrote on July 24, could not be objectionable to the Protestant princes, 'since the clergy now scarcely owned any of them;' therefore most of the towns lost no time in subscribing to it.

The Protestant princes refused to agree to these proposals, in spite of the efforts of the Elector Joachim of Brandenburg, who remained true to the Emperor, conformably with a treaty which he had concluded with Charles and Ferdinand on July 24, and in which he had pledged himself to do all in his power for the furtherance of religious unity, the maintenance of the election of Ferdinand as King of the Romans, the support of the Emperor in the Cleves-Guelders affair, and the hindrance of French intrigues in the Empire. Charles and Ferdinand, on the other hand, had promised to allow the Elector to adhere to the confession of faith and the Church ordinances which had been submitted to the Emperor, up till the meeting of a future Council, or until the Estates of the Empire should have thought of something better or more Christian.[1]

[1] Ranke, vi. 195–199.

'Joachim took particular pains to mediate with the princes of his own faith; as, however, the latter persisted obstinately in their opposition to the imperial proposals,' and as on July 28 'the recess and the question of Turkish help still seemed unlikely to be settled,' the Emperor on July 29, at the instigation of Granvell and Naves, and also the Brandenburg Elector, hastily ratified a secret declaration of the recess.

This so-called 'Declaration' did great injury to the Catholic cause, and also to the Emperor's reputation, both with Catholics and Protestants.

The stipulation of the recess that the Protestants were not to go against, or beyond, the articles that had been agreed about was altered in the 'Declaration' to 'These articles are only to be binding on the Protestants according to the interpretation put on them by their own theologians; the other articles are to be of no authority.'

The decree that the cloisters and foundations were henceforth not to be disturbed or abolished was added to as follows: 'with reservation in each case to the civil authorities under whose jurisdiction they lie of the right to hold them in Christian reform,' which meant reserving to the Protestants the right of *reforming* according to their own ideas.

The article of the recess in which it was stated that the clergy were not to be deprived of their dues and revenues was stretched to include the clergy, chapters, cloisters, and houses of the Augsburg Confessionists, 'regardless of earlier mandates.' By this means the right of possession of the Protestants was established in defiance of imperial complaints and mandates with respect to confiscated Church property and ecclesiastical patronage.

The article forbidding the Protestants to coerce or entice people to adopt their opinions was to mean only that they were not 'to entice away or take under their protection the subjects of any Catholic State.'

The assessors of the Imperial Court were no longer to take their oaths on the Augsburg recess, but on this present 'Declaration,' and if they were adherents of the Augsburg Confession they were not on that account to be deposed or rejected on their presentation. 'In the appointment of persons' at the next inspectoral visitation of the Imperial Court the Emperor 'would make no distinction on account of religion.' The validity of the Augsburg decree was only to extend 'to matters not connected with religion.' [1]

This alteration of the recess in favour of the Protestants was made without the knowledge of the Catholics.

When the 'Declaration' came on for discussion at an assembly of the Protestants on July 29, the Frankfort delegates objected to its being passed. They thought it a dangerous measure to ratify the recess on the basis of this Declaration, for it would not be 'serviceable to the Protestants in case of need,' because it had been produced 'behind the backs' of the other Estates, who consequently would attach no importance to it. The whole business had 'a strange look.' The delegate from

[1] Walch, pp. 999–1002; Hortleder, *Ursachen*, pp. 556–557; Döllinger, *Documente*, pp. 36–38. We get no very favourable impression of the manner in which even questions of the greatest importance were dealt with in the Imperial Cabinet, when we read in a letter from Charles to Ferdinand, March 14, 1542: Ferdinand must do all in his power 'pour la bonne yssue de la diette, comme au semblable je feiz *quant à la declaration*, que je doibs avoir faicte à mon partement de Regensburg (Ratisbon) *de laquelle ne suis bien souvenant.*' In v. Drussel's *Karl V. und die römische Curie*, Abth. i. 220–221, note 2.

Constance and the Saxon delegates sided with those of Frankfort. The rest of the members, however, agreed to the Declaration, and consented to give the Turkish help mentioned in it. They promised the Vice-Chancellor Naves 'to keep the Declaration a secret and not to publish it.'[1]

The Catholics were deceived in another way also.

They had agreed to the recess, as the Archbishop of Lund reported to the Frankfort delegate, Hieronymus zum Lam, only on condition that to the article ordaining that 'everybody, both of high and low degree, was henceforth to pay the clergy their rightful rents, tithes, and incomes,' the words 'and also leave to them their authority and jurisdiction' should be added.

These important words, however, had been omitted without the knowledge of the Catholics. Consequently on the occasion of the solemn reading of the recess on July 29, in the presence of the Emperor, 'there arose great strife and contention.' The Catholic Estates insisted that the words must be put back, but the Protestants refused, because, they said, 'no communication had been made to them in the matter.'

The discussion lasted four hours, the Emperor, the King, and the Elector of Brandenburg all taking part in it. Finally the Catholics, 'at the request of his Imperial Majesty, gave in this time also and allowed the words to drop out.'

'And thus be it noted,' writes the Frankfort delegate, 'the Catholics were publicly forced out of their jurisdiction, or rather they themselves withdrew from it. Moreover, do not fail to notice how trickily and slyly

[1] Ranke, iv. 162, note.

in this whole business both sides have been dealt with.'[1]

For immediate help against the Turks half of the supplies voted for the Roman expedition of 1521 were promised for three, or in case of need for four months, and with this money an army of infantry and cavalry was to be raised and sent to Hungary.

On the same day on which the Emperor presented the 'Declaration' to the Protestant Estates with the imperial seal and signet affixed, he also concluded a treaty with the papal legate and the Catholic princes, which was, so far as the words went, a renewal of the league of Nuremberg. 'No member of the Christian union was to dare, in violation of this peace concluded and renewed with the Emperor at this Diet, to invade or molest any of the Protestant princes or their subjects.'

The legate and the Catholic notables could only understand by 'this treaty of peace' the recess that had been drawn up with their approval. It was impossible but that their confidence in the Emperor should be shaken when they learnt of the secret declaration of this peace, made without their knowledge, which was an altogether one-sided version of the formal recess, if not the very opposite of it, and which granted far greater concessions to the Protestants than had ever been made before.[2]

'The Catholics took fright at the strange intrigues

[1] Protocol of Hieronymus zum Lam, fol. 106.

[2] 'It was a flagrant and most ominous violation of the constitution of the Empire that the Emperor presumed, without the consent of the Estates, to tack on to an imperial decree declarations which were directly opposed to the sense in which the decree had been drawn up,' says Planck, iii. (2nd ed.), 170, note. See also C. A. Menzel, i. 356.

going on at the imperial court, and became distrustful of what the influential people at court said, because they did not know what might lurk behind. Thus this ill-fated Diet did the Emperor more harm than can be expressed. For while he had made the Catholics mistrustful he had not won the loyalty of the Protestants; for they did not yet think they had got enough, and they would not rest till they had obtained everything that they wanted, and could lord it over the Holy Empire as if there were no other right or justice but what they chose to call by these names.'

The Catholic League, which scarcely deserved the name of a defensive alliance, was reduced to complete nullity.

Already in September the Bavarian Chancellor, Eck, had entered into a fresh alliance with Saxony and Hesse.[1] The Landgrave Philip had found out that Eck 'was to be moved with money to use active influence with the Dukes in favour of the Smalcald confederates.' The Saxon Elector doubted whether reliance could be placed on Eck. 'If, however,' he wrote to the Landgrave, 'the Chancellor perseveres in co-operating with us secretly against the Emperor and King Ferdinand, he may be rewarded by a handsome present.' Eck was to manage that the Dukes of Bavaria should withdraw from the Catholic League. In December Eck informed the Augsburg doctor, Gereon Sailer, the Landgrave's agent, that 'if the German princes did not put their heads together they would become more abject than the pashas under the Turks. King Ferdinand was a desperate bankrupt creature, like the Archbishop of Mayence, poorer than any beggar in

[1] Lenz, iii. 180 ff.

the land ; it was impossible to help him without ruining the German nation. The Emperor was not true to the Germans and was befooling them ; he had promised the Pope to annul the declaration provided his Holiness would withdraw his friendship from France ; he had spoken of the Protestants as beggarly people whom he should soon subdue to his will.' It was obviously in order to extract a substantial reward from the Protestants that Eck declared that he had been promised 30,000 florins 'if he would become a loyal Austrian ;' but he would rather forfeit life and everything he possessed than desert the cause of 'German freedom.' The Catholic League 'had been formed in opposition to his advice ; Bavaria would have nothing to do with it, nor support Duke Henry of Brunswick against the Landgrave.' [1]

Free scope was afforded to the intrigues in the interior of the Empire by the unfortunate issue of the wars against the Turks.

[1] Rommel, ii. 444–445 ; Lenz, iii. 190 ff.

## CHAPTER XV

WAR AGAINST THE TURKS, 1541 — DIETS AT SPIRES AND NUREMBERG—WAR OF THE EMPIRE AGAINST THE TURKS IN HUNGARY—MILITARY AGGRESSIONS OF FRANCE, 1542

In February 1538 King Ferdinand had concluded a treaty at Grosswardein with his opponent Zapolya, according to the terms of which the latter was 'to rule in peace and with full regal authority over that part of Hungary which he had in his possession, nevertheless under the condition that after his death, even should he leave male heirs, the whole realm, with all its dependencies and subjects, should revert to Ferdinand and his heirs.' Zapolya, however, violated the treaty. When a son was born to him from his marriage with Isabella, daughter of the King of Poland, he attempted, with the help of the Turks, to secure the succession to this infant. Before his death, which followed on July 23, 1540, he exacted an oath from the council of regency appointed for his son that they would make sure of the favour of the Sultan.

Solyman, who considered himself the 'lord and ruler' of Hungary, promised effectual protection 'to the son of his vassal and slave Zapolya.' He gave orders to his pashas to support Isabella with arms against Ferdinand. In October the young Zapolya was proclaimed King of Hungary, and at the end of

November it was notified to an ambassador of Ferdinand at Constantinople that 'the Sultan was now going to Adrianople, in order to learn what were the intentions of the Emperor and Ferdinand; he would visit the brothers at Ratisbon.'[1]

In order to save Hungary, Ferdinand had solicited imperial help against the Turks at the Diet at Ratisbon and had made known to the notables through Francis Frangipani that the Turks had already invaded the country, both by water and by land; that this was not a time for the Germans to be succouring strangers, but that they must defend Germany itself in Hungary. But the help obtained in return for the concessions to the Protestants was of no use. Before the imperial troops reached Hungary the royal army had been defeated, after an unsuccessful attempt to take possession of Buda. On August 26, 1541, Solyman was encamped in front of Buda, and he forthwith ordered 400 captive Christians to be beheaded, 'because dead men cannot wage war.' He commanded Zapolya's son to be brought into the camp, and then announced to the magnates who had come into his presence that he did not mean to leave Buda in the hands of Isabella, for women were as changeable as the wind; he intended to appoint a Turkish governor over the country.[2] Isabella was compelled to hand over to a barbarian conqueror the seat of empire which she had refused to its Christian and

[1] Bucholtz, v. 145. On June 20, 1541, Solyman wrote to King Ferdinand that he had made over the sovereignty of Hungary to the son of John (Zapolya). 'Quia dictus rex Joannes fuit fidelis servus meus et mancipium, etiam ipsius filius est servus et mancipium meum, veluti filius mancipii et servi, ideo visum est mihi concedere administrationem et regiam dicti regni' (Gevay, 1541, p. 148).

[2] Bucholtz, *Urkundenband*, pp. 318–319.

lawful sovereign. Transylvania alone was left to her. Solyman transformed the church of St. Mary at Buda into a mosque, turned the whole country up to the Theiss into a Turkish province, and set a three-tailed pasha over it as governor.

While the greater part of Hungary was being made over to the Turks and to barbarians the Emperor had undertaken an expedition to Algiers, which under the Turkish pasha Hassan Aga had become a centre of sea piracy. After having completed at Lucca his transactions with the Pope concerning the summoning of a Council he set sail from Porto Venere and reached the African coast on October 22. But on the second night after his landing a tremendous storm arose, accompanied by torrents of rain and hail, and a large portion of his fleet was destroyed, damaged, or dispersed. In the morning the coast was strewn with the fragments of the ships and the corpses of the crews. Moorish cavalry now began their onslaughts. Owing to entire want of provisions the Emperor was compelled to return to Europe. A fresh storm scattered the fleet, so that the ships arrived only singly in the Spanish and Italian ports. On December 1 Charles landed at Carthagena. 'We bow to the will of God,' he said, 'who knows well that from the best of motives we wished to act for the welfare of Christendom, but who is punishing our sins and shortcomings.' In Constantinople there was great rejoicing. Francis I. 'laughed and piped for joy when he heard of the Emperor's disaster,' and sent congratulations to the Sultan on the 'defeat of the common enemy.' [1]

[1] *Relations Secrètes*, p. 73. A medal struck in France bore on one side the Turkish crescent, and on the other the French lilies with the inscrip-

On his return to Spain the Emperor made every preparation for carrying on the war against the Turks by land and by sea. Meanwhile Ferdinand betook himself to the Diet at Spires, where, according to the decision at Ratisbon, the question of permanent Turkish supplies was to be discussed.

The Diet fixed for January 14, 1542, could not begin till February 9, owing to deficient attendance of the notables. Of the princes of the League of Smalcald not one came in person: they sent ambassadors to represent them.

'That the Turks were close on the throats of the Germans was by no means unknown' to the Elector of Saxony and the Landgrave of Hesse. They had written to the council of Strasburg on October 24, 1541, that 'whereas the Turks had made themselves masters of the town of Buda, the capital of the kingdom, and contemplated becoming lords of the whole of Hungary,' there could be no other result than 'irreparable injury and ruin to the whole of Christendom and to the German nation.' They had taken counsel with the Elector of Brandenburg concerning the help that each was to give the other in case Bohemia also should fall into the hands of the Sultan and the latter should make a direct attack on Germany.[1] They had also summoned the Smalcald confederates to attend the Diet, but they again wanted to make use of the Turkish danger for their political and sectarian ends.

tion: 'Non contra fidem, sed contra Carolum.' Seckendorf, iii. 474. The Emperor had undertaken the Algerian expedition 'ex proprio capite et contra la opinion de tutti li sui conseglieri et principali,' and was determined to lead it himself. Report of Marino Giustiniani, Nov. 10, 1541, in the *Venetian Despatches*, i. 434–435.

[1] Ranke, iv. 171–172.

At the opening of the Diet King Ferdinand represented to the notables that after all the conquests which the Turks had made in Hungary 'all the gates and doors stood free and open to the Sultan against the Empire, and he could walk over Germany as over a level plain.' The Estates of Bohemia and the countries belonging to them, and also the Austrian hereditary lands, had effectually coalesced for resistance against him, and the prelates, lords, knights, and towns had agreed to contribute one for every hundred florins, the country people each one for every sixty florins of their fortunes: it would be well if the Estates of the Empire did the same, for the danger was so great that they must either drive the enemy out of Hungary or find themselves shortly exposed to the greatest misery.

The Catholic notables 'without any parleying' declared themselves ready to grant help; but not so the Protestants.

In a memorandum on the royal 'Proposal' and in a 'Petition' which the latter addressed to the King on February 27 they made fresh impossible demands. The Turkish supplies, they said, could not be of any profit if contributed before 'a solid peace' had been established in the Empire. To this end it was especially necessary that the articles of the Augsburg Confession should everywhere be freely preached and taught; for if in some places it was forbidden to teach and to hold these doctrines 'this might lead to all sorts of disunion and put obstacles in the way of general peace.' This was 'over again the old stipulation' that the Catholics were to tolerate the free exercise of the Protestant religion, while the Protestants claimed for themselves the right to suppress the Catholic religion altogether

in their territories, and to expel the Catholics from the country.

Among the conditions of this 'lasting peace' the Protestants wished it to be stipulated that the rents and tithes of the churches and abbeys which they had seized accruing from Catholic territory should be given over to them, and that in the parishes situated within Catholic jurisdiction their right should be recognised to appoint Lutheran pastors wherever they should think it desirable.

They insisted, further, on 'equal justice for both parties,' and claimed, in furtherance of this end, that 'the Imperial Court, whose members they suspected, should be temporarily suspended, and that at a fixed date this court should be reconstituted and a fresh staff appointed, consisting of persons wholly above suspicion and chosen by the Emperor, the Electors, and the Estates, without respect to religion.' Otherwise, they declared, they would no longer contribute anything to the maintenance of the Imperial Court, nor would they recognise its juridical authority either in religious or in secular affairs. If the Catholics would not agree to these demands, it would be they, not the Protestants, who would be impeding the grants of Turkish aid.[1]

[1] *Der Stend der Augsburgischen Confessions-Verwandten-Bedenken aus der k. Majestät Proposition.* 'Petition to his Roman Royal Majesty and to the Imperial Commissioners from the whole body of Protestants.' In the Frankfort Archives, *Reichstagsacten*, 49, fol. 36–44, 74–83. Concerning the demands of the Protestants the legate Morone, who was present at Spires, writes on February 28, 1542: 'A poco voler intrar in l' administratione della Justitia del Imperio . . . et se potessero ottenere, o per facultà del Re o per la presente necessità contro il Turco, tali articuli sotto specie di justitia injustissima, distruerebbono in breve tempo tutto il stato ecclesiastico di Germania, et in un medesimo tempo si trovarebbono padroni del esercito armati con gran potenza, et padroni della justitia.' M. Laemmer, *Mon. Vat.* p. 422.

The Elector of Saxony had instructed his envoys to stipulate, as a further condition of granting the required help against the Turks, that no further protest should be made on the part of the Emperor against his (the Elector's) attack on the bishopric of Naumburg-Zeitz and appointment of a Lutheran clergyman as bishop. The delegates were to make an obstinate fight for all these stipulations.[1]

At Spires the Saxon and Hessian envoys actually suggested to the Smalcald confederates that for several reasons it would be well for them to keep themselves apart from the Catholic army in their help against the Turks, and 'to have their own separate commanders, military councillors, paymasters, and other officers.' This proposal, however, did not at the time commend itself to the confederates, who thought that such a division of the army would cause great displeasure among the soldiers and in the camp, and moreover were very doubtful whether 'according to this plan the Protestants would be able to obtain their full complement of men; for the clergy, the nobles, and other free subjects would not help them with their quotas.'[2]

On March 20 King Ferdinand answered the Protestants as follows: 'Whereas this Diet, as the notables knew, had only been convoked on account of the Sultan's alarming invasion of Hungary and the consequent necessity for permanent supplies, they themselves might well conjecture that it would not be fitting in him and the imperial commissioners to go further, or to act otherwise in matters of religion than it had

[1] Seckendorf, iii. 382.

[2] Protocol of Hieronymus zum Lam on the Diet of Spires, 1542, fol. vol. *Mittel-Gewölbe* D. 42, fols. 96–97.

been decided to do by the last Ratisbon imperial recess; for they had neither order nor authority to act thus. Neither had they power or authority to suspend or stop the action of the Imperial Court. With regard to the question of equal justice in the Imperial Chamber, the usual method of inspectoral visitation was promised at Ratisbon, and the Emperor had appointed suitable commissioners for the discharge of this office. Time and place would promptly be made known.' Ferdinand begged the notables, by word of mouth, that 'they would not insist on anything that was impossible or that might hinder the granting of Turkish help.'

The Protestants persisted in all their demands. As to an inspection of the Imperial Court, they would only give their consent on condition that all the assessors swore to the imperial 'Declaration,' and that the form of oath was altered in such a manner that everybody could take it with good conscience. Further, 'no priest or clergyman was any longer to be appointed assessor or admitted into the chancellory;' and the chancellorship of the Empire must be taken from the Archbishop of Mayence. If these demands were not satisfied they would not agree to any inspection, and they would not obey the present members of the Imperial Court.

They felt sure beforehand that the King under 'all these circumlocutions and conditions would as little consent to the inspection as to the suspension or abolition of the court.' But they hoped that from their repudiation of its authority in secular matters also 'the end of it would be that his Royal Majesty and the notables of the opposite party would at last

become alarmed, and possibly themselves offer to the Protestants what the latter could not at present extort from them.'

'If Ferdinand does not agree to the terms of the Protestants,' the Frankfort delegates wrote home, 'it will mean the loss of the whole of the Turkish aids.' The Frankfort deputy was at his wits' ends: he wished in God's name, he wrote, 'to stand by his associates of the Augsburg Confession, but he did not know what was best or most expedient to do.'

The acrimony and ill-feeling at Spires became so great that not only was it feared that the Diet would break up without recess, but there was even 'apprehension of a civil war breaking out in Germany,' which would afford fine sport and diversion to the French. An evil spirit possessed the members present at the Diet.' 'The proceedings that go on,' wrote Justinian von Holzhaufen of Frankfort, 'are so insufferable and unprecedented that they are incomprehensible not only to my poor understanding, but also to the wisest of heads; and I verily believe that Almighty God is allowing all this to happen as a special judgment on us, or that Satan is ruling personally among his own people.'

Not only did the Protestants 'oppose all grants of help against the Turks, and behave insolently when all that they demanded was not conceded to them, but there was also bitter strife, irrespective of all distinctions of creed, between the princes and the towns, the latter refusing to give any help at all, because everything was settled independently of them.' 'The towns were treated with contempt by the Electors and princes,' the Frankfort delegates complained; 'they shut

them out from all the deliberations and refused them seats and votes ; therefore the towns will not give any help against the Turks or take part in the choice of counsellors of war : and so they withdraw, and things are in a pretty strange condition.' [1]

King Ferdinand, yielding to this pressure, ceded inch after inch of his ground. On March 28 he offered to give the Protestants a special written document, guaranteeing the validity of the imperial Declaration. On March 30 he gave in with regard to the assessors of the Imperial Court taking their oath on the 'Declaration,' and also to the complete cancelling of the sentence of outlawry against Goslar.

Then some of the Protestants showed themselves 'so weak and soft' that others of the party 'became no little alarmed.' Elector Joachim of Brandenburg especially assumed the part of mediator and obtained promises of help from several members of the Smalcald League. But on April 2 the position of affairs was still such that one of the Frankfort delegates wrote : 'They say that the recess is to be read out to-morrow. But it is positively certain that some of the electors, prelates, and free lords, the Protestants, the Catholic Union, and every one of the towns will object to the recess ; indeed, they are already prepared with protests compiled and sent in.'

Nevertheless a recess was drawn up on April 11, after Ferdinand had agreed to still further concessions.

The Ratisbon armistice, together with the 'sus-

[1] See Bucer's letter of March 16 to Philip of Hesse, in Lenz, ii. 59–62. 'The princes,' he says, 'maintain that they form the council of the Empire, while the cities are mere subjects, and that as co-regents with the Emperor they have the right to impose on cities and peasants whatever burdens they please.'

pension of the lawsuits and sentences which had been commenced and issued by the Imperial Court in religious and other matters,' was extended to a term of five years from the end of the present campaign against the Turks.

'Thus the Protestants, for the next five years, had nothing to fear in consequence of all that they had done, and the Catholics, with their lawsuits, were put off. And so they too became discontented and combative, and both parties were anxious to dissolve the meeting. If at this juncture both sides promised considerable help against the Turks, it was with many of them, as the issue will show, nothing more than promises on paper, as the greater number of them appeared by no means willing to carry out in action what they had agreed to.'[1]

On paper it had been resolved, 'in defence of Christian blood and the common Fatherland, to strain every nerve and to contribute such substantial help' that the Turks would be defeated in a pitched battle, or else compelled to evacuate the country, and Hungary, with its capital, Buda, recovered. In levying these forces the *Matrikel* of the year 1521, and the regulations for rapid mobilisation against the Turks in 1532, were to be the basis of operations, and the costs were to be covered by a property tax raised all over the Empire. The Elector Joachim of Brandenburg was appointed commander-in-chief, with ten military councillors—according to the number of the circles of the Empire—to assist him.

According to the decision at Spires the imperial army was to assemble at Vienna in May 1542, and 'work together for six months,' four out of which, it

[1] Clas Helmholt, April 17, 1542, in Senckenberg, *Acta et Pacta*, p. 592.

was hoped, would be spent on the actual operations of the war. But as late as June 20 'one third of the infantry and three fourths of the cavalry were still wanting.' The Saxon captain Erasmus von Könneritz lauded King Ferdinand's thoughtfulness in providing for the commissariat and materials of war; but as the commander-in-chief delayed so long in coming, and 'there was a lack of orderly government,' insubordination reigned among the troops. 'The soldiers, who have been lying idle for the last three weeks,' writes Könneritz, 'are drinking themselves to death in the camp; there is no interruption to it and punishment is scarcely of any use.' [1]

On June 6 Joachim appeared before Vienna. When Ferdinand invited him to take part in the Corpus Christi procession, he answered that 'he was not there for the purpose of joining in such fool's play, but to exercise himself in fighting against the enemy of Christianity.' But this military practice of his was in itself mere fool's play. He was 'a warrior in women's apartments' is the lament of contemporary writers, 'a womanish general who, Dr. Luther says, has never seen a bloody sword,' 'but sees a great deal of banqueting.' 'The commander-in-chief of the army could not dispense with luxury and gambling even in the battle-field, and there was rare talk as to what money would be left over for the soldiers; for he played monstrously high and had larger gambling debts than any one would believe.' [2] His passion for gambling was so great that in the year 1542 at Nuremberg 'he lost 40,000 florins at two sittings.' [3]

[1] Könneritz, pp. 85–86.
[2] *Curieuse Nachrichten*, p. 103.
[3] Voigt, *Fürstenleben*, p. 387.

Joachim on his part complained, and not without reason, of the dilatoriness of the Estates. If means were not forthcoming, he wrote on June 21 to the military councillors at Ratisbon, there was great danger lest the soldiers should take possession of the field-artillery, ravage the country, and possibly even go over to the King of France. Already in July the Elector of Saxony and the Landgrave of Hesse, who, profiting by the Turkish danger, had at that time set out on the conquest of the duchy of Brunswick-Wolfenbüttel, had instructed their commanding officers to levy 5,000 men in case the imperial army should disband itself.'[1]

While all was inactivity in the camp, 20,000 Turks were skirmishing about in single detachments, burning and plundering all around. A violent storm destroyed part of the camp; 'in every direction things went differently from what had been intended.'

King Ferdinand was obliged to spend 30,000 florins of his own money in order 'only to make a show of moving out.' He would gladly have led the troops away in person, Ferdinand wrote to the Emperor, but he was obliged to go off to a Diet at Nuremberg, to which he had invited the princes, in order to procure the help of the imperial Estates.[2]

When Ferdinand opened his Diet, on July 24, not one of the secular princes was present in person, and of the spiritual princes only three bishops; 'it was an assembly of representatives without any result.' Some of the provincial Estates, the King complained, had sent no troops at all for the Turkish campaign, others only a part of the number they had promised; some of the soldiers had no munitions, others no pay. Again

[1] Könneritz, p. 100. [2] Bucholtz, v. 168.

and again Ferdinand implored the town delegates to contribute some help to the Empire and to Christendom: he intended afterwards, he said, to discuss and settle all matters with them, and he would also give them a written statement to the effect that the dispute about seats and votes at the Diet should be settled on the approaching arrival of the Emperor; without their help the whole enterprise would be a failure, and the troops would take themselves off. But the town delegates closed their hearts against the needs of the Empire and of Christianity. 'And so, with regard to the towns,' the Frankfort delegates reported, 'the decision still is that they refuse the contributions asked for, and will not agree to the new impost.'

The Elector Joachim, meanwhile, had begun the march to Hungary with the imperial army, without any definite plan of war or any knowledge of the enemy's position, trusting solely 'to fortune and the guidance of God.' The army numbered about 25,000 infantry and 5,000 cavalry, but it was 'diminished by hunger and cold, sickness and desertion.'[1] 'We lack field-artillery, food, and above all money,' Joachim wrote. 'The cry of the soldiers is nothing but money, money, money! which lowers us in the estimation of so many foreign nations, all of whom mature their plans in secret. Day by day we see numbers of our soldiers dying miserably of starvation before our very eyes.'

In the recess of the Nuremberg Diet of August 26 it was decreed that the Imperial Court of Exchequer would proceed swiftly and stringently against all persons who did not send the promised help against the Turks. But 'who would give heed to this deci-

[1] Könneritz, p. 93.

sion ?' 'Nowhere in the Empire was there any longer the slightest regard for justice and right, because there was no longer any religion, but only quarrelling and wrangling over dogmas and sects. Might was right. Each one did as he liked. How could the Exchequer help ?'[1]

Still in September the military councillors who were 'to bring all the incidental liabilities incurred by the expedition before the district authorities' had not been appointed.[2]

Not till September 27, towards the end 'of the fifth month of the expedition,' when, according to the original decision, the campaign ought to have been concluded, did the imperial army, greatly enfeebled and in a wretched condition, arrive before Pesth. It was only through Ferdinand's handing out 20,000 more florins 'that it had been possible to advance so far.' 'His Royal Majesty,' wrote Joachim, 'on his part has left nothing undone; he has sent his troops, and equipped the flotilla well; he has also supplied a great array of field-artillery, with all the necessary appurtenances, and he has spent enormous sums of money; he has given diligent attention to the commissariat department and is providing pay for the imperial troops, and likewise powder, as we ourselves and the councillors of war can testify.'[3]

But 'how could the Emperor manage everything

[1] See Albèri, Series I. iii. 139, where Marino Cavalli of Venice gives the following general criticism, in 1542, of the German Diets: 'Per le molte divisioni e diversità di voleri, che ora sono fra le Germani, tutte le loro Diete si risolveranno in nulla, ovvero, deliberisi quello che si voglia, sarà eseguito da ognuno quello che si vorrà o potrà.'

[2] Joachim's despatch to King Ferdinand (from the camp before Buda), September 27, 1542, in the *Reichstagsacten*, 52, fol. 117–119.

[3] *Reichstagsacten*, 52, fol. 128.

when the others did nothing?' The Duke of Lüneburg, the Landgrave of Hesse, and the towns recalled their men. Ferdinand began to have 'strong suspicions of wicked intrigues.'[1]

The Danube fleet, under the command of the Italian admiral Medici, took the islands of St. Margaret above Buda and drove away the Turkish fleet. 3,000 well-paid Italians under Vitelli, who had been sent by the Pope, adventured an assault against Buda, but were not supported by the imperial forces. During this assault Joachim had to look on, inactive, at a distance.[2] Although 'the Hungarians and the Italians were ready to do anything that was possible,' he determined to retreat without making any further attempts. 'They retreated under mocking and ridicule, and to the detriment of all Christendom; over 15,000 excellent soldiers were simply thrown away.'[3] 'It is my opinion,' wrote Ferdinand to the Emperor, 'that such disgrace and ignorance has never befallen the Empire before, not to speak of the damage done and the danger of still worse damage.'[4]

Joachim went back to Berlin and 'let himself be drawn round the town on a sledge, as if he had carried the expedition out successfully.' He expressed to Granvell his wish to receive the Golden Fleece as a reward, also 'a pension or something else,' in order that 'he might be compensated for all his losses and heavy expenditure.' As legal proceedings were being

[1] Despatch to the Emperor, October 17, 1542; Bucholtz, v. 170.

[2] Könneritz, p. 99.

[3] Schärtlin's autobiography. See Károlyi, *Anémet birodalom magy hadi vállata Magyarországon* 1542 *ben* ('Der grosse Feldzug des deutschen Reiches in Ungarn 1542'), Budapest, 1880.

[4] Bucholtz, v. 171.

instituted against the Dukes of Pomerania, he said he would prefer to undertake 'the execution of the Pomeranian sentence;' if it brought in 100,000 florins, he would hand over 10,000 to Granvell, and if this was too small a sum double the number.

After Charles's disastrous expedition against Algiers, and 'during the ignominious proceedings of the imperial army in Hungary,' Francis I. thought 'the time had come in which a complete annihilation of the imperial power might be effected.'[1]

As a pretext for war he availed himself of an occurrence in Lombardy.

In order to arrange with Sultan Solyman a plan for a concerted attack on the Emperor, he had despatched a Spaniard in his service, Antonio Rincone, as fully accredited ambassador to Constantinople, and with him a Genoese of French proclivities, Cæsar Fregono, who was to win over the republic of Venice to join the extensive league planned against Charles. Rincone had for some time past been known as the most active agent between Francis I. and the Sultan. Accordingly the Marquis Guasto, imperial governor of Milan, on hearing that Rincone and his companion were about to travel through Lombardy secretly and without escort, gave orders to a band of soldiers to arrest them and seize their papers. Both the ambassadors were overtaken at Pavia, and on their attempting to defend themselves were killed; whereupon Francis I. complained of violation of international and diplomatic rights, and demanded satisfaction of the Emperor. Guasto declared himself innocent of complicity in the

[1] See *Relations Secrètes*, p. 81.

murder and proposed to submit himself to the Pope for trial and judgment. The Emperor gave orders that the assassins, who had taken flight, should be pursued.

But Francis wanted war, and found plenty of allies. At his request Solyman had a fleet equipped to harass the Spanish coast. In November 1541 Francis concluded a treaty with King Christian of Denmark, who agreed to supply him with six war ships and 1,000 men. In July 1542 King Gustavus Vasa of Sweden promised to raise an army and a fleet for France. Francis had already assured himself of the help of Duke William of Cleves. In the spring and summer of 1542 five armies were equipped to attack the Emperor simultaneously in five different places. Martin von Rossem, one of the captains of the Duke of Cleves, penetrated into the Netherlands with Clevish, Danish, and French troops, exacting contributions and plundering the country as far as Mechlin. A French army under the Duke of Vendôme invaded Artois, and a second, under the Duke of Orleans, conquered a great part of Luxembourg. In Piedmont French troops captured several places from the imperialists. Forty thousand men under the command of the Dauphin attacked the Spanish frontiers and encamped in August 1542 in front of Perpignan. At Constantinople Solyman made ready for another march, and Francis I. sent enormous sums of money for the pay of the Turkish army. The King of France, so the Sultan boasted, 'pays more than all the other tributaries.'[1] 'Ibrahim has touched Vienna with his finger,' said the

[1] '. . . plus omnibus ceteris tributariis praestitisse.' Report of the French envoy Paulinus from Constantinople, Bucholtz, v. 196.

Grand Vizier Rustan to Ferdinand's ambassador, 'but I will seize it with both my hands.'

The whole dominion of the Emperor and of King Ferdinand had been in jeopardy since 1541 through the Turks and the French. Neither of these sovereigns was in a position to interfere in the internal affairs of Germany 'except by Diets, mandates, and orders to which no one paid any attention.' The occasion of 'this foreign pressure on the rulers' was taken advantage of by the chiefs of the Smalcald League for the subjugation of the Catholic Estates, the suppression of the Catholic faith in districts which till then had remained faithful to the ancient religion, and for the introduction of the new Church system. The measures adopted towards these ends by Saxony and Hesse in the bishoprics of Naumburg-Zeitz, Meissen, and Hildesheim give a clear insight into the whole character of the politico-ecclesiastical revolution.

## CHAPTER XVI

### FORCIBLE MEASURES FOR PROTESTANTISING THE BISHOPRICS OF NAUMBURG-ZEITZ AND MEISSEN

THE Electors and the Dukes of Saxony possessed a secular protectorate over the three bishoprics of Naumburg-Zeitz, Meissen, and Merseburg, either lying within or surrounded by their territories. The protectorate over Naumburg-Zeitz was vested in the Electoral or Ernestine branch of the House, that over Merseburg in the Albertine branch, while that over Meissen was possessed by both branches in common. But neither the Elector John Frederic nor Duke Maurice would rest satisfied with this secular protectorate; both of them wished to convert their dominions into 'a compact and united' territory, to make the ecclesiastical districts subject to their sovereignty, to 'incorporate' them, and to protestantise them.

John Frederic took his stand in the matter on his conscience. 'He could not conscientiously,' he said, 'keep any "refractory bishop" in his land; he could not be the patron of papist prelates. The word "patron," or protector, was a very meaningless, unsatisfactory one: the title of sovereign carried much more weight.'

This title was to come into vogue first of all in Naumburg-Zeitz.

On the death of the bishop in charge, the Count Pala-

tine Philip, on January 6, 1541, the Elector submitted to his councillors and theologians the question whether it was not permissible to deprive the chapter of the right of electing a new bishop, and to give the bishopric to the preacher Nicolaus Medler, appointed by the magistracy of Naumburg, paying him a yearly income of about a thousand florins out of the revenues of the diocese, and using the remainder in some 'Christian manner.'[1] Fearing the interference of the Elector, the chapter had already on January 19 unanimously chosen Julius Pflug, provost of the cathedral of Zeitz and a man of blameless life and great learning, to be the successor of Bishop Philip. 'Verily they are desperate people,' wrote Luther to the Elector on January 24, 'and the devil's own bondservants. But methinks Doctor Brück will give some good advice in this matter, and that your Grace also with God's help will hit on something better. Where we cannot reach the goal by an open run we must contrive to slip in. But the Almighty will certainly in the end play into your Grace's hands, and let the devil's sophists be caught in their sophistry.'[2]

Nevertheless neither Luther nor Bugenhagen nor Justus Jonas counselled a forcible confiscation of the bishopric, for they feared that all the collective Estates would be thrown into consternation by such a proceeding, and that in all that resulted from it even the Elector's own fellow-confederates would be rather against him than for him.

John Frederic, however, did not let himself be frightened off. Again appealing to his conscience, he informed the theologians that he intended to appoint

[1] Seckendorf, iii. 288.

[2] De Wette, v. 330–331.

a truly 'Christian' bishop and to place over him a 'protector' who would administer the temporal government in the name and with the prestige of the Elector. The kings of England, Denmark, and Sweden had also brought their bishops under control, in part actually done away with them. The Duke of Prussia had 'reformed' the bishops in his territory without having been devoured by the papists in consequence. He intended to act after the pattern of these princes.

He forbad the instalment of the newly elected bishop. Julius Pflug, as one of the Catholic theological mediators at the religious conference at Ratisbon, had adopted an extremely conciliatory attitude towards the Protestants. Nevertheless the Elector wrote to the magistracy of Naumburg that 'nobody was more displeasing and objectionable to him than this Pflug, of whom he knew for certain not only that he was an out-and-out opponent of the new doctrines, but also that he was acting against his own conscience and better convictions. In spite of the imperial command of July 18, 1541, that he was not to hinder the bishop in taking possession of his diocese, and above all not further to infringe the free electoral rights of the chapter and the rights of the imperial bishopric, John Frederic caused the castle at Zeitz to be laid siege to in September, and he appointed a governor of his own over the episcopal lands.'

The month before he had in like manner, without the slightest foundation of right, caused the monastery of Dobrilugk, in the Niederlausitz, to be besieged, and thirty-one villages, together with the small town of Kirchheim, to be coerced into allegiance to him. In the district of Wurzen, belonging to the bishopric of

Meissen, he drove the Catholic clergy out of the land and forcibly confiscated the property of the cloister. 'Thus the poor,' wrote the bishop to the Emperor, 'are robbed of the alms which they have hitherto received from the cloisters.' The bishop commended himself and all his clergy and his poor monasteries and convents to the mercy of the Emperor.[1]

Before the close of the Ratisbon Diet the Elector and all the Saxon princes had written with ill-concealed sarcasm to the Catholic monarch: 'Your Imperial Majesty will scarcely require to be informed how intolerable to us an alien and godless religion in our dominions must be, and how fatal it must be to the eternal welfare of the people under our sovereignty.' It was their princely duty to liberate the 'Christian people' from 'the idolatry, error, and abuses' in which the bishop wished to retain them by criminal means. The bishop's claim, ratified by the Emperor, that he was an immediate feudatory of the Empire, was false and baseless; it was known throughout the Empire that the bishops of Meissen, Merseburg, and Naumburg belonged to the House of Saxony.

As soon as the theologians found that the Elector was determined to persist in his decision with regard to the bishopric of Naumburg, they altered their minds and sanctioned the measures he had resolved to adopt there.

On November 9 they pronounced the following judgment: 'The Elector had justifiably opposed the election of Pflug, and the chapter had thereby lost its right of election.' If it should proceed to make

[1] 1541, April to June, in Gersdorf's *Urkundenbuch des Hochstiftes Meissen*, pp. 362–365.

another election, 'it would be certain to choose a papist,' and it was not to be tolerated 'that a persecutor of the true doctrines should be appointed.' The proper course would be for the Elector to propose a suitable person to the nobles and the towns, and if 'the nobles and towns, called upon to decide,' voted unanimously for the said candidate, it would then be 'a real and truly valid election.' The candidate elected must then 'be ordained by the preachers with laying on of hands and with prayer;' there was no need 'of any other spectacular ceremony.'[1]

On January 20, 1542, the Elector John Frederic had Nicolaus Amsdorf, the Magdeburg superintendent, consecrated as 'bishop' by Luther, assisted by three clergymen of Naumburg. Afterwards the proceeding was justified in public pamphlets.[2]

Among his secular councillors the jurist Melchior von Ossa had expressed his opinion strongly against the illegal seizure of the bishopric. He was above all afraid that in consequence of this act of violence the rest of the bishops would join the league of Nuremberg and 'other confederacies opposed to the Elector.' In his heart he approved of the election of Pflug. But by command of the Elector he was obliged to defend the proceedings against this bishop and the freedom of the bishopric. He complied with the orders he received, but he said nevertheless in his diary: 'I pleaded thus

[1] *Corp. Reform.* iv. 692–694.

[2] 'The Elector and his councillors and theologians easily reconciled to their consciences the forcible measures resorted to in Naumburg by the merit of having robbed the papacy of a seat,' says Voigt in his *Moritz von Sachsen*, p. 23. Luther himself described the episcopal consecration performed by him on March 26, 1542, as an 'audax facinus et plenissimum odio, invidia et indignatione' (De Wette, v. 451).

against my will; but with all my arguments I could not succeed in convincing myself.'[1]

Luther published a vindication in which he gave the following reasons as proof that the Elector had acted rightly and justly in depriving the chapter of the right of election and in appointing a 'Christian' bishop.

'By the three first divine commandments, above all by the first, "Thou shalt have none other gods but Me," not only the bishop and chapter of Naumburg, but also the Pope, cardinals, and all connected with their rule have not only been deposed, but eternally relegated to hell, with all who obey them.' On penalty of everlasting damnation every Christian is commanded to flee from a false prophet, preacher, or bishop, and to separate himself from them, and 'not to look upon them as bishops, but as wolves or devils.' It was impossible for the Elector to recognise Julius Pflug as bishop, for he could not 'help on the persecution of the Gospel and worship the devil.' As the chapter would not elect a 'Christian bishop,' the election was in itself null and void. Possession, privilege, tradition, to which the chapter might appeal, all counted as nothing before God; God conceded 'to none of His creatures either privileges or traditional rights against Himself or against His word, for He is eternal, and eternity outweighs all privileges and traditions.' 'It is ordained by commandment of God that a wolf shall not be a bishop over a Christian Church, even though Emperor, kings, Pope, and all the host of devils should insist upon it.' The Naumburg Estates, who

[1] Von Langenn, *Moritz von Sachsen*, i. 130, and *Melchior von Ossa*, pp. 30, 58, 64.

broke their oath towards the chapter, must not be condemned as perjurors, for they had broken their oath long before this—namely, on the day and at the hour when they 'accepted the Gospel.' If Julius Pflug accuses the Elector of having subjugated the bishopric to his own authority, robbed it of its freedom, and withdrawn it from the Empire, this is 'a public and scandalous lie. This I know for certain.' The bishopric will not be dismembered, but will remain a free corporation, as before, with all its former jurisdiction.[1]

So wrote Luther. But the Elector acted very differently. He wrested the bishopric from the Empire. Those of the Naumburg Estates that refused to conform to his orders were punished by him with confiscation of goods, and even imprisonment; he transferred the secular government to a lieutenant, and from the revenues of the diocese he paid the new bishop, Amsdorf, only 600 florins a year, in addition to free maintenance. But as to any organisation of the Church system, nothing was done on the part of the Electoral court.[2]

The theologians were the puppets of the princes and were obliged to conform to their will and defend their acts of violence in public. In their private letters

[1] *Collected Works*, xxvi. 77–108. On April 3, 1542, Philip of Hesse wrote to Bucer: 'We will not conceal from you the latest news, viz. that Amsdorf wields not only spiritual but also secular sway in the bishopric of Naumburg, and has himself called 'gracious Lord!' to which Bucer replied: 'I am sorry that Amsdorf has assumed temporal authority, for it is dead against what we have said in our answer to the Emperor's book.' Lenz, ii. 76, 80.

[2] On January 13, 1543, Luther wrote to Amsdorf: 'Male me habet aulae nostrae negligentia, quae tanta praesumit audacter et postea nobis in lutum conjectis stertit otiosa et nos deserit.' De Wette, v. 532.

only were they able to compensate themselves by the bitterest complaints of their slavery and of the conduct of the princes, who, under the cloak of the Gospel, thought of nothing but plundering churches, gambling, and other pleasures. 'Maybe, the Turks,' wrote Melanchthon in the year 1541, 'will drive these things out of our heroes.'[1] 'I have served now for so many years at courts, and to my detriment have been employed in the most difficult tasks, but I see now how true are the words in the canticle of canticles. "The watchmen on the walls have wounded me and taken my raiment from me," says the Church. The princes wound the Church with unspeakable offences and take her raiment and possessions from her. Meanwhile the ministration of the Gospel is neglected no less than the pious and well-deserving servants of the same. These complaints grow worse and worse.'[2] A year later he reiterated: 'The princes, absorbed in their own interests and a prey to their passions, neglect and tolerate the Church. Hence the complications and perplexities in the government in nearly all places are so great that one cannot look on without unspeakable sorrow.'[3]

'The Church,' Luther laments, 'is being robbed and despoiled. People give nothing, but only take and steal. In former times our kings and princes gave benevolently and lavishly; now, however, they do nothing but plunder.' 'If we are destined to become one day the slaves of Turks, it is better that we should be subjugated by those hostile foreign Turks than by

[1] October 16, 1541, in the *Corp. Reform.* iv. 679. April 7, 1542, to Camerarius: 'Ita me excruciarunt diu principes ipsi, ut vivere inter has molestias non libeat. Scio qualem servitutem tulerim' (iv. 801).

[2] *Corp. Reform.* iv. 695.

[3] *Ibid.* iv. 882.

the Turks who are our friends and fellow-citizens.' 'Those who pretend that they are evangelical are calling down the wrath of God by their covetousness, their robbery, their plunder of churches.'[1]

'The princes,' wrote Luther's friend Johann Lange, cathedral preacher at Erfurt, in the same year 1542, 'the princes are either asleep or else given up to the gratification of their lusts, and seeking by all manner of means to amass money. The people lead Epicurean, Sardanapalian lives. Nearly all of them revel in Greek—yea, more than Greek—luxury, while to us poor preachers there falls nothing but misery.'[2]

Encouraged by the rapid success of the proceedings against the bishopric of Naumburg, the Elector forthwith embarked on further projects of the same kind.

The 'nearest objective point' favourable to the 'propagation of the Holy Gospel' was the bishopric of Meissen. In order to 'incorporate' this district also John Frederic resolved to begin by taking possession of Wurzen, which was the property of a collegiate chapter founded by the Bishops of Meissen. The possession of this would be peculiarly advantageous to his schemes of future aggrandisement by reason of the strength of its castle, which commanded the passage of the river Mulde. The plan of seizing the stronghold emanated from Chancellor Brück, Luther's most zealous friend. Melchior von Ossa once more, as previously in the case of Naumburg, 'fiercely opposed so violent a measure, denouncing it as a violation of the public peace and an affront to the Empire.' Ossa, however, was

[1] De Wette, v. 439, 462, 485.

[2] To W. Link in Verpoorten's *Sacra superioris aevi Analecta*, p. 116.

unsuccessful even in his contention that the Bishop of Meissen ought at least to be informed of the intention to seize upon Wurzen.[1]

Under pretence of wishing to collect a Turkish tax the Elector gave orders on March 22, 1542, that Wurzen was to be occupied by military forces. He informed the council and the community that the position of the town marked it out as the property of the Electoral House. The nobles also who owed no feudal allegiance must take the oath of obedience to the Elector. On the following day Asmus Spiegel, the Electoral councillor and governor of Wurzen, summoned the prebendaries into his presence, and informed them that the Elector had long tolerated their ' idolatrous behaviour ; ' but it was now time for the chapter to be ' reformed,' the new form of worship to be introduced, and an inventory of the Church property to be made. All who set themselves against these measures not only would be deposed from their offices, but would also suffer corporal punishment.[2] It was in vain that the clergy defended the teaching of their Church, and declared that they must be true to their duty to God. The Elector ordered the Catholic Church service to be suppressed, made over the keys of the collegiate church to Protestant preachers, caused those of the clergy who administered the Sacrament in one kind to be put in prison and the images and altars to be thrown out of the church. He then personally directed the construc-

[1] V. Langenn, *Herzog Moritz*, i. 133, and *Melchior von Ossa*, pp. 32–33 ; Voigt, *Herzog Moritz*, p. 24.

[2] Burkhardt, *Wurzener Fehde*, pp. 64–65. ' One seizure followed another,' says this impartial Protestant author. The House of Ernest ' no longer recognised the right of free will ; fanaticism drove them further and further into paths which ought to have remained untrodden by them.'

tion of fortifications and the occupation of the passes. Chancellor Brück was overjoyed that the Elector 'had really struck the blow.'

But success did not follow here so quickly as in Naumburg; for Duke Maurice of Saxony was not disposed to renounce 'his share in the protectorate over Meissen.'

Hitherto, since the death of Duke George, both branches of the House of Saxony had worked together with the best understanding for the spread of 'the Gospel;' the Elector had laboured zealously towards this end in the dukedom of Saxony. Now, however, personal interests began to clash. Maurice was not willing to leave all the booty to his cousin. He had not expected, he wrote on April 1 to the Elector, the actual seizure of Wurzen. 'We can only understand your Grace's behaviour to mean that your Grace's intention is to augment your territory and add more and more to it.' The Elector, he went on, had already illegally seized the monastery of Dobrilugk, and he still retained it in his possession; he was harassing the town of Erfurt, and he had planted his foot in the bishopric of Naumburg, and had profited by the age and infirmity of the Saxon Dukes George and Henry to carry on raids for the extension of his principality. But, Duke Maurice threatened, in spite of his youth, which the Elector thought to take advantage of, he would not suffer any more of these aggressions.[1] He was equipping himself in order to come with a strong hand to the relief of the besieged town of Wurzen, which was of such importance to his own land.[2]

[1] Von Langenn, *Herzog Moritz*, ii. 224–226.
[2] Brandenburg, *Moritz von Sachsen*, i. 197 ff.

The armies of the Saxon princes were on the point of coming into collision, when the Landgrave Philip of Hesse hastened to the scene as mediator between the disputants. Luther, who, as he himself allowed, was quite in the dark as to the rights of the question, took up the cudgels for his Elector: he declared Maurice to be an arrogant, quarrelsome youngster, full of the spirit of Satan. 'I wrote to the Landgrave early yesterday morning,' he informed the Chancellor Brück on April 12, 'and spoke in the strongest terms against that mad bloodhound Duke Maurice. May God comfort, strengthen, and preserve my most gracious Lord, and all of you, and shower down on the heads of those hypocritical bloodhounds of Meissen all that such Cains, and Absaloms, and Herods, and Judases deserve! Amen.' In his letter to the Landgrave Luther called Duke Maurice an impenitent bloodhound, who had devilishly contemplated the murder of cousin, brother, stepfather, yea, own father and son.

At the expense of the rightful possessor, the defenceless Bishop of Meissen, Philip brought about an agreement at Grimma, on April 10, by which the Elector was to retain a free hand in the district of Wurzen and the adjoining territory, and Duke Maurice in the other parts of the bishopric. The bishop was not even informed of the treaty that had been concluded. 'The bishop,' it was mockingly said, 'had nearly gone off his head with vexation; but he could not help himself.'

As soon as the compact was settled the Elector had all the images in the church of Wurzen destroyed, except those which were overlaid with gold or which represented 'serious events,' and the rest buried in

the vaults; and then he had the new doctrines introduced through the whole bishopric.

Maurice on his part carried off from the cathedral of Meissen all the gold and silver vessels, richly studded with jewels and precious stones, and all the treasures of art. He was taking them, he said, under his protection, 'because the times were so full of risk and danger.' In the catalogue of art treasures prepared by the sub-custodian, Blasius Kneusel, there were the following entries among others: 'One gold cross valued by Duke George at 1,300 florins; in the same there is a diamond valued at 16,000 florins, besides other precious stones and pearls with which the cross is covered.' 'A second gold cross worth 6,000 florins. A third is worth 1,000 florins, besides the precious stones and pearls of which the cross is full. I value the golden table and the credence table, without the precious stones, at 1,000 florins in gold. The large bust of St. Benno weighs 36½ pounds; it is set with valuable precious stones; it was made by order of the church, and all the congregation contributed towards it. The small cross with the images of the Virgin Mary and St. John weighs about 50 pounds.' The number of these treasures of art amounted to fifty-one.[1] After Maurice had taken them into his 'care' all traces of them disappeared for all time.

On November 15, 1541, Duke Maurice informed the provincial Estates with respect to the confiscated church and monastic property that 'the administration of the latter had lapsed into the greatest confusion.

[1] Arndt, *Archive*, ii. 333 339. Gersdorf's *Urkundenbuch des Hochstiftes Meissen* (part 2 of the *Codex diplomaticus Saxoniae Regiae*), pp. 375–376.

Buildings had fallen in, forests were devastated, provisions were squandered.'

Luther's views of the propagators of 'the Gospel' in the duchy were by no means favourable. 'The sudden and unexpected news of this war,' he wrote after the seizure of Wurzen, 'has revealed to us the thoughts of many hearts, and made manifest what sham and humbugging "lovers of the Gospel" Meissen and Leipzig are swarming with. May God in His own good time give the reward they deserve to these accursed tyrants, who are given up to revelry, greed, extortion, pride, hypocrisy, hatred, godlessness, insurrection, deceit, and every description of injustice and wickedness!'[1]

As with the Elector of Saxony in the bishopric of Naumburg, so Duke Maurice was given a 'free hand' in the diocese of Merseburg. Already in February 1542 he inaugurated his temporal 'guardianship' of the bishopric by attempting to force the bishop and chapter to accept the Lutheran doctrines, and he wrung from the chapter the promise never in future to elect a bishop without his consent.[2]

In order to satisfy his brother Duke Augustus's claims as inheritor he promised him to do his part to settle on him the dominion over the bishopric of Merseburg, with the rights always enjoyed by the bishops, on condition that Augustus would pay the future holder of the episcopal office a yearly salary of 3,000 florins out of the revenues of the monastery of St. Peter in Merseburg. On the death of the excellent

[1] To H. Walter, April 19, 1542; De Wette, v. 465.

[2] Voigt, *Moritz*, p. 71. See the letter of Bishop John Morone of Modena of February 10, 1542, in Laemmer, *Mon. Vat.* p. 405.

Bishop Sigmund of Lindenau Augustus was forced upon the diocese as administrator, and very soon there were rumours of 'wanton prescription or enclosure of districts, cloisters, and manor lands, and of the scrapes, follies, and extravagances in which his Princely Highness was everywhere perpetually involved.'[1]

The contract of Grimma of April 11, 1542, by which the partitioning and protestantising of the bishopric of Meissen had been arranged for, was concluded on the same day on which the Diet at Spires decided to contribute help against the Turks. 'Under the pretext of the Turkish need' the proceedings in Meissen had gone on. Under the same pretext still further measures of violence were to be carried out. At the time of the congress at Grimma the Landgrave Philip had again brought forward a proposal for his long-planned attack on the duchy of Brunswick-Wolfenbüttel. Melchior von Ossa, who at the council board of the Elector of Saxony had pronounced this scheme also to be unlawful, stood in danger from his outspokenness. Things in Germany, he wrote in his diary, had come to such a pass 'that no honourable, God-fearing man could speak in defence of right and justice without exposing himself to the greatest danger.'[2]

At an interview in Weimar the Elector and the Landgrave came to a mutual understanding respecting the 'expedition' against Duke Henry of Brunswick.[3]

[1] Wenck, *Moritz und August*, pp. 394–404.
[2] Von Langenn, *Melchior von Ossa*, pp. 36–37.
[3] Von Langenn, *Moritz von Sachsen*, i. 146–147.

## CHAPTER XVII

### CONQUEST AND PROTESTANTISING OF THE DUCHY OF BRUNSWICK-WOLFENBÜTTEL

Duke Henry of Brunswick was a 'peculiar man.' 'He stood by the old faith and on the side of the Emperor because it was very advantageous, and for the sake of advancement; whether also from sincere promptings of conscience and conviction God alone knows; but he was not greatly trusted among his associates in religion, for he was of a turbulent disposition, and his language and behaviour were so variable that people did not like to have any dealings with him.'

After a serious feud with the bishopric of Hildesheim substantial Church lands had fallen to his house, and the Emperor had invested him with them at the Diet of Augsburg. At the very same time, however, Duke Henry, in concert with the Landgrave of Hesse, was scheming to reinstate Ulrich of Würtemberg in his duchy by military force, in return for which Philip and Ulrich had guaranteed him their support against the town of Goslar, with which he was at constant strife concerning his right of inheritance to Rammelsberg.[1] In the year 1536 he had still stood in the friendliest relations with Philip, 'his dear Lips,' as he

[1] See Bruns, *Vertreibung Heinrich's von Braunschweig*, i. 13 ff.

called him. But after the Smalcald confederates had taken his place of residence, Brunswick (with which town, as with Goslar, he was at strife), under their protection, and had actually held a meeting there in 1538 without his leave, Henry had conceived the most violent antagonism to them, had become the most zealous member of the League of Nuremberg, and had written those famous letters against the Landgrave which had been 'intercepted and published, and had caused so great a storm in the Empire.'[1] These letters became the motive of a long series of polemical writings in prose and verse of the most virulent and personal character between Henry, Philip, and the Elector of Saxony, who exceeded all bounds of decency and princely dignity in their cross fire of calumny and abuse.[2] Philip had already in 1539 proposed to the Elector to 'take their enemies by surprise;' the personal offences he had sustained were to serve as justification for violation of the peace; the war, however, was to be carried on as a war of religion.

Goslar furnished the first opportunity. During the contest with Duke Henry this town had allowed different churches and cloisters to be destroyed, and 'several of the workpeople in the smelting houses to be thrown into the furnaces and burnt to death.' For this reason the Imperial Court had laid the town under the ban in October 1540. The council thereupon appealed to the confederates of Smalcald, begging them to treat the affair against the Duke as a 'religious

[1] See above, pp. 33, 34.

[2] Schlegel, ii. 129, note. This correspondence 'forms an interesting item in the literature of the Reformation period; an exhaustive study of it would be profitable and useful.' Koldewey, *Reformation*, p. 327, note 3. (For full note see German original, vol. iii. p. 539, note 1.)

question' and to come to the succour of the town. The Estates, however, did not wholly comply with the request of the council, 'although the Saxon and Hessian councillors,' wrote the Frankfort delegate from the convention at Naumburg, 'had pleaded their cause vehemently for two whole days, and had tried with many arguments and much persuasion to make them look upon the business as a matter of religion;' the South German towns 'for manifold reasons would not give in.' At the end of January the Emperor, at the instigation of Granvell, suspended the Act against Goslar, in order to prevent the occurrence of war and bloodshed in the Empire during the meeting of the Ratisbon imperial and religious Diet. All the same Duke Henry, so the people of Goslar asserted, proceeded with open hostility against the burghers; and 'the Duke must therefore be crushed, let it cost what it will.'

At the Diet at Ratisbon the Augsburg Confessionists submitted to the Emperor a written document in which they designated the Duke as the originator 'of frightful and unprecedented incendiarism in the Protestant territories; he was especially to blame for the reduction to ashes of the town of Einbeck. As a proof of the Duke's guilt they alleged that the incendiaries, who had been caught, had confessed on the rack that they had been bribed with money to commit these terrible crimes; many of them said that they could not name the real author of the misdeeds;' others, on the contrary, mentioned the Duke as the real criminal who had given orders that 'the evangelical princes and towns were to be burnt; and when this had been done an invasion was to follow, and all the lands to be

seized; the whole of Cassel must be burnt to the ground.' Confessions of this sort, extorted on the rack, were read out publicly at the Diet.

The Duke repudiated all accusations as false, hateful, and abominable calumnies; torture, he said, was a dangerous and detestable practice, for many people were so afraid of bodily pain that, rather than undergo it, they would lie to any extent.

'Many outrageous lampoons against Duke Henry are daily issued from the press,' wrote the Frankfort delegate, von Glauburg, from Ratisbon on May 18, 'and things are said of him which have never been heard or read concerning any other prince.'[1]

Luther's pen especially was 'stirred to activity.' Under the title of *Wider Hans Wurst* he published a lampoon against the Duke, in which, among other things, he said 'Henry had gorged himself full of devils, daily and hourly, like Judas at the Lord's Supper;' 'he emitted devils from every part of his body,' and so forth.

The Elector of Saxony was a party to the publication of this lampoon, and had it distributed by his councillors at the Diet.

Among the heavy charges against the Duke was that of an illicit connection between him and Eva von Trott, one of his duchess's maids of honour. It was said that he kept her concealed at his hunting castle of Staufenberg, but that to deceive the world he had held a solemn funeral at her pretended death, and caused many Masses to be read for her soul, though she was still alive. The Duke in his reply denied this crime,

[1] Koldewey, *Heinz*, pp. 14 ff. Pope Paul III. was also accused in libellous pamphlets of having paid the incendiaries in Germany. See O. Schade, *Satiren und Pasquille aus der Reformationszeit*, i. 210–212.

and insisted that his accusers must either make good their charge by the evidence of trustworthy witnesses or documents, or else be punished as defamers and libellers.[1]

[1] For the episode of Eva von Trott consult *Das vaterländische Archiv für Hannoverisch-Braunschweigische Geschichte*, edited by Spilcker and Brönnenberg (Lüneburg, 1830–1833), i. 90 *sq.*, ii. 216, particularly iv. 608–631. For latest researches consult Wachsmuth, *Niedersächs. Geschichten* (Berlin, 1863), pp. 48 *sq.*, and Heinemann, *Geschichte von Braunschweig und Hannover*, ii. 356–357. Heinemann makes the following observations with regard to Eva von Trott and the alleged solemn funeral: 'The accuracy of the details of this narrative, which in substance has been borrowed from John Sleidan, the well-known historian of the Reformation, is a subject for controversy. We are told that Henry himself, on reading Sleidan's narrative, exclaimed: "Who told all this to the annalist of Strasburg? However the rascal has not got to the bottom of the affair." Certain it is that the story found universal credence, and was eagerly made use of in their writings against Duke Henry by the heads of the Smalcald League, who employed it as a serviceable weapon against Henry's attacks on the Landgrave of Hesse for his bigamy. It was in this sense that Luther rang the changes on it in his pamphlet, *Wider Hans Wurst*. He "stinks like asafœtida spread all over Germany," and, like all the devils, he is chained to hell with the bonds of divine judgment. For "the Lord God had proven by so many witnesses and judgments that this fellow, Heinz, is condemned to hell fire, a murderer, a bloodhound, and an arch-assassin, that it is impossible here on earth to whitewash him." Let every one "for the honour of God" spit on the earth whenever he sees this Heinz, and hold his ears whenever his name is mentioned, just as he does at the sight or mention of the devil." "And particularly you, O pastors and preachers, let your voices resound most powerfully, and know that our God-given authority binds us to do so, and that in doing so we are doing a service to God." However, let not the preachers confine their pulpit denunciations to the person of the Duke. "Make it clear to the people, O ye preachers," cries out Luther, "that not Heinz alone, but Pope, cardinals, bishops, priests, monks, and the whole crew are included in this judgment of God."' *

* *Collected Works*, xxvi. 1–75. The passages cited are found at pp. 58–61 and 69–70. John Pistorius has drawn attention to the fact that in this little pamphlet 'the devil is mentioned by name no less than 146 times.' We shall return to this in a later volume. Yet Luther did not think he had been violent enough. On April 12, 1541, he wrote to Melanchthon: 'I have reread my book against the devil Mezentius' (Duke Henry), 'and wonder how it happened that I could write so tamely.' De Wette, iv. 342. Koldewey (*Heinz*, p. 31) omits the most violent passages in his citations from the pamphlet, with the observation: 'The nineteenth-century pen rebels against

The transactions at Ratisbon led to no result, and the hostilities between the Duke and the towns of Goslar and Brunswick still continued. Brunswick, which, though legally belonging to the sovereign of the land, was practically an almost independent town, had, contrary to the Duke's will, suppressed the Catholic Church service in the abbeys and cloisters under its jurisdiction, and refused obedience to an imperial mandate ordering the restoration of the confiscated churches and cloisters. The town was encouraged in its refractoriness by Saxony and Hesse. 'In matters of religion,' the Elector wrote to the town council, 'there was no obligation to obey the Emperor's commands.' At the instigation of the Elector and the Landgrave the confederates of Smalcald 'pronounced

setting before the eyes of the reader in their naked realistic coarseness expressions and phrases which were of ordinary occurrence in that rude age.' But Luther's pamphlet was by no means limited to 'realistic coarseness.' Koldewey's delicacy does not prevent him from setting before the eyes of his readers extracts like the following from Duke Henry's reply (p. 32): 'That this prince of cheats, the arch-heretic, the godless arch-scoundrel and desperate knave Martin Luther, has been incited to write his godless, mendacious, unchristian, calumnious, and filth-reeking diatribe against us we owe to the Grand Sacrilegious Ruffian of Saxony, a traitor blued as Judas. Surely no great skill is needed to reply to this infamous and devilish fabrication. Since the godless Ruffian of Saxony dared not attack us himself he was forced to resort to his tactics on previous occasions and stir up the unfrocked monk and perjured apostate against us.' 'Many a man has now discovered that this godless monk is not concerned about theology or solicitous for the advancement of God's honour. Rather he is implicated in all sorts of selfish, wicked, ungodly, invidious, and underground intrigues. His aim is not peace and concord; he seeks to stir up ill-will, dissensions, and bloodshed, and studies how he may best ruin the German nation, destroy its faith, its honour, and its well-being, and bring it under the yoke of its horrible foe, the Turk. As a fitting reward may God grant that the perfidious apostate may receive from his father, the devil, who, as I can prove, begot him *per modum incubi*, the well-deserved recompense of everlasting damnation! For how else can we explain the eagerness with which the apostate monk rushes into affairs like these?' A scurrilous pamphlet of the year 1541 presents to the Pope the following nosegay:—

'Dein Heiligkeit verfluchtet ist,
Du Mensch der Sünd und Widerchrist;
Denn eitel Lügen ist dein Lehr,
Die von dem Teufel kommet her.'

See Schade, i. 44–47.

the Brunswick affair to be a matter of religion,' and sent the town 400 cavalry and two companies of foot soldiers ' for its defence against the Duke.'

After the two principal heads of the Smalcald confederates had come to a mutual understanding respecting a military attack on Henry, they concluded a treaty with Duke Maurice on May 1, 1542, by which the latter guaranteed a considerable sum of money towards the expedition against Brunswick, and promised to defend the territories of Johann Friedrich and Philip with very strong forces in case of their being attacked during this campaign.[1] The Bavarian Chancellor, Eck, had assured the Landgrave of Hesse that Bavaria, in spite of the League of Nuremberg, would give Henry no help.[2] On May 15, 1542, the Landgrave and the Elector of Saxony submitted to Eck a proposal for an alliance with Bavaria.[3]

The opportunity was ' most highly favourable ' for an attack : Duke Henry was not prepared for war, and had sent ' the contingents of cavalry and infantry due from him, with the necessary money for their pay, to Vienna for use against the Turks.' [4]

' We have heard on trustworthy authority that the Duke is not yet prepared with the necessary troops for defence,' said the town representatives of the League of Smalcald, assembled at a congress in Ulm, to an ambassador from Saxony and Hesse. The town council of Frankfort at the municipal assembly

[1] V. Langenn, *Herzog Moritz*, i. 146–147.

[2] Report of Sailer, December 18, 1541, in Rommel, ii. 446.

[3] Stumpf, p. 247.

[4] Henry's instructions of July 31, 1542, to the Estates at Nuremberg, in the Frankfort archives, ' Acta Protest.' D. 42, No. 11, fol. 81. Letter of the Frankfort delegate of August 9, 1542, fol. 20.

strongly deprecated any measures of force. 'It would be inconvenient in the extreme, and also dangerous, to embark on such a war at a time when not only is the Empire heavily burdened with preparations for resisting the Turks, but all sorts of other serious troubles and disquietude are rife both within and without the country.' A military expedition against Brunswick 'might easily be the cause of the failure of the necessary operations against the Turks, which would bring shame and discredit on the Estates.' Saxony and Hesse had acted in violation of the constitution of the League and had 'begun the work of equipping and recruiting without the sanction either of the Estates or of the board of war.'

On July 11 the town representatives wrote from Ulm to the board of war at Strasburg, Augsburg, and Ulm respecting this unconstitutional and inopportune action of Saxony and Hesse: 'There was nothing to show that Henry had done anything in the way of equipping or recruiting to necessitate so swift and hasty an attack; it was much more conceivable that the Elector's and Prince's own interests and wishes had prompted them to this course.'

The Elector John Frederic and the Landgrave Philip, on the other hand, maintained that 'all had been done in conformity with the rules and rights of the League.' The expedition against Henry was necessary 'for the security of the public peace and the preservation of order and justice in the Empire. They were going to make war on him in the name of God and for the glory of the Redeemer and his Holy Church.'

Duke Henry, being unequipped, was not in a

position to withstand the Smalcald confederates in open battle. After taking care to strengthen the garrisons in the principal castles of his land, and to collect in Wolfenbüttel sufficient provisions to last out a three years' siege, he left the country accompanied by his two eldest sons, and went to Landshut in the hope of obtaining help from the Bavarian dukes, 'according to the terms of the Nuremberg League.' Duke Ludwig was ready to give him help, and represented to his brother William that when Henry of Brunswick was completely subjugated Bavaria would be the next victim. William, however, preferred Eck's opinion 'that they should not interfere in the Brunswick affair.' [1]

'The Christian troops' of the Smalcald confederates took possession of the duchy without any trouble.

On July 21, 1542, 5,000 burghers and mercenaries of the town of Brunswick, bearing the town banner, with the motto 'God's word endures for ever,' marched on the monastery of Riddagshausen and took possession of it in conjunction with Saxon auxiliaries under Bernhard von Mila. They destroyed the altars, images, and organs; carried off monstrances, chalices, sacred vestments, and other Church treasures; trampled the sacred Host under foot, tore up the archives, maltreated and drove out the monks, and turned the church into a stable for their horses. On July 23 the first evangelical sermon in Riddagshausen was preached. The Brunswickers appropriated the farms, rents, and tithes belonging to the monastery.[2] Bernhard von Mila was recompensed by the gift of the village of Unseburg, in

[1] Stumpf, p. 246.

[2] Koldewey, *Reformation*, pp. 296–299.

the archbishopric of Magdeburg, which belonged to the monastery, together with all its dependencies, farms, and mills.

From Riddagshausen the troops proceeded to the Augustinian convent of Steterburg, ' took it by surprise, desecrated the church, destroyed the altars, together with the font, the choir stall, and the organ, defaced and damaged the pictures and images, dragged the dead bodies out of their graves, and threw them to the swine to devour. Among the corpses were those of the Duke's wife and sister, who had only lately died : these bodies had not yet undergone decomposition.' In this place also the church was turned into a stable. The convent buildings were torn down ; all movable goods, all jewels and provisions carried off, and the convent forests devastated.' [1]

Things did not fare much better with the abbey of Gandersheim, which was a direct fief of the Empire. The subjects of the monastery complained to the Emperor that ' Lutheran preachers had been set over them, who daily and without ceasing, in the presence of the congregation, and without any cause, scandalously abused individual persons by name in order to force them to renounce the true and ancient Catholic religion and become Protestants. All the crucifixes and images of saints and others that were in the abbey church and outside in the churchyard had been destroyed.' [2]

Plundering and setting fire to churches and monasteries, the Elector John Frederic and the Landgrave Philip traversed the land with an army of 22,000

[1] Koldewey, *Reformation*, p. 296.

[2] Petition of grievances in Koldewey's *Reformation*, p. 197.

men. Several villages were completely burnt to the ground.[1]

'At no other time,' wrote the princes to their fellow-confederates from the camp before Wolfenbüttel, 'could the land have been taken from Duke Henry so well and so easily.' Nobody had offered any resistance. The costs of the war had been 'recouped with facility and with a good surplus residue;' the conquered territory must not be let slip out of their hands again, 'if only Almighty God, through this His gracious work of the victory vouchsafed unto them, deigned to extend His mercies!' They invited the members of the League to a congress at Göttingen on August 20.

The southern towns, however, were 'not yet quieted.' The council of Ulm, in a despatch to Strasburg, recommended caution and circumspection, because King Ferdinand and the notables assembled at the Diet at Nuremberg 'would undoubtedly have a hand in the transactions,' and would contrive ways and means 'against the untimely insurrection that had been started.' The council of Frankfort, in its instructions to its delegate to Göttingen, again repeated emphatically that 'everything had been undertaken contrary to the wish and without the knowledge and consent of the collective Estates,' and expressed its fears of further proceedings of the confederate princes against other Catholic Estates.

Meanwhile Wolfenbüttel, the chief stronghold of the land, had fallen into the hands of the enemy on

[1] Lichtenstein, p. 22. It is significant that the poet Burkard Waldis, who was in the suite of the Landgrave, was ordered to sing of the occasion: 'Where the Smalcald confederates passed not even a cock was scared away.' Koldewey, *Heinz*, p. 57, comp. p. 51.

August 13. 'There was very considerable booty there in provisions, artillery, silver vessels, and other costly articles.'[1] Even the private chancellery of the Duke 'was greedily ransacked.' Schärtlin von Burtenbach, who had served the Landgrave actively in these operations, received as his share of the booty a monthly payment of 400 florins, a present of 400 gold florins from the Landgrave, a war-horse and a coat of Duke Henry's embroidered with silver. 'In this war,' he wrote, 'I have gained at least 4,000 florins; praise and thanks to the Almighty in eternity.'

The Wittenberg theologians looked upon this most successful conquest and breach of the *Landfriede* as a great work of God. God Himself had overcome the Brunswickers, Luther wrote; He had worked wonders.[2] 'The holy angels have kept guard over our troops,' wrote Melanchthon to Duke Albert of Prussia.[3]

The congress summoned to meet at Göttingen was removed to Brunswick. At this assembly the heads of the League submitted to those members who had before declared the expedition against Brunswick to be a

[1] Bucholtz, v. 390; Havemann, ii. 240. According to Händeln (the historian of Brunswick), i. 467, the property and stores in the castle which fell into the hands of the conquerors consisted of '80,000 silver florins, 6,000 bushels of rye, 3,000 bushels of flour, 9,000 tons of powder, wine to the value of 6,000 florins, and a large supply of beer, 500 tons of butter, 300 tons of cheese; abundance of wheat, and oats, 250 sides of bacon, a quantity of large barrels of salted meat, a right royal supply of guns and other weapons.' Rehtmeier, *Chronik*, ii. 901.

[2] Letters of August 27 and 29, 1542; De Wette, v. 493–494. 'Summa, Deus est in hac re totus factor seu, ut dicitur, Fac totum.' 'Recte scribis miracula Dei esse.' But on September 3 we find Luther already complaining of the robberies perpetrated by the conquerors: 'Tanta et nostrorum et magnorum rapacitas narratur, ut mihi metus incidat, ne quando blandis conditionibus potius suum Mezentium [Duke Henry] repetant provinciales, quam istas ferant rapinas.' De Wette, v. 490–496.

[3] *Corp. Reform.* iv. 879.

breach of the terms of the League that, 'whereas now the success of the enterprise, through divine grace, sufficiently proved that it had been undertaken for the glory of God and the extension of His holy word, and that the Christian population of this district had been rescued from the clutches of the devil and from the insatiable tyranny of the peace-breaker of Brunswick,' they now expected from all and every one of the members of the League that 'without further objections they would be pleased to approve and commend this great work accomplished by the providence of God.'

They obtained their wish. The whole body of Estates assembled at Brunswick declared that the chiefs of the League had acted in this expedition entirely in conformity to the stipulations of the League; they were quite ready to give their entire approval to this great work of God's providence, and to praise and thank the Almighty for it; they would loyally support the cause, and stand by each other with life and property. The Estates, so the Frankfort delegates wrote home, tendered 'their most subservient thanks to the leaders, as indeed was right and fitting after the accomplishment of such a work.'

The town of Bremen was authorised by the members of the League to suppress the Catholic Church service wherever its jurisdiction extended. The town of Goslar was granted permission to confiscate church and monastic property and to put down 'all popish ceremonies in the minster.'

The town of Hildesheim was also included in the arrangements. In the resolutions of the congress we read: 'Whereas the result of this expedition has been so fortunate, Saxony and Hesse have not intermitted in

their endeavours, by influential deputations and other suitable means, to persuade the people of Hildesheim to embrace the Protestant religion and to join the Christian union.' The council of the place had yielded to persuasion, and Hildesheim was to be admitted into the League.[1]

Fearing the invasion of the Smalcald army, the bishop had left the town, and the confederates set to work freely ' to root out the papist devil's doctrines from the people, and to plant among them the divine word, heedless of the grumblings of high and low.' The mob plundered the churches and cloisters, ransacked the graves of the dead for treasures, destroyed the pictures of Christ and the statues of the saints, tore down the side altars in most of the churches, stole chalices, monstrances, crucifixes, and even the silver casket containing the bones of St. Bernhard, and travestied the Catholic rites and usages with mock performances. For instance, on the first Thursday in Lent 1543 a profane procession, carrying a cross, candles, and censers, marched through the streets, and a litany was sung which began with ' Kyrie eleison ' and then went

[1] Recess of the Brunswick congress of September 12, 1542. On August 27, 1542, envoys from the towns of Magdeburg, Brunswick, and Goslar had proposed to the assembled burghers of Hildesheim to join the Smalcald League against the Emperor and to adopt the reformation: it was an honour to belong to a league composed of Electors, princes, and important towns; it would be most profitable to introduce the reformation in a town with so many richly endowed churches, monasteries, and other foundations, whose revenues would all fall into the hands of the burghers. The excited mob in full jubilation cried for the reformation: ' Give us the pure word of God and we are all right! ' At first the council made some opposition, but was soon compelled to yield to the threatening populace. Some of the councillors gave up their office rather than their faith. On September 2 the preacher John Winkel incited the mob to plunder the churches, &c.

off into blasphemous jesting. Jews, Turks, and Saracens, says a contemporary, could not have mocked our crucified Lord and Saviour more grievously. At the end of the proceedings the burgomaster, Christoph von Hagen, indulged in a large drinking bout with a company of men, women, and young girls. 'After they had drunk lustily they fell to dancing in the precincts of the cathedral. Hagen gave orders to open the cathedral door, because he wanted to dance under the grand corona (of lights). But, as all the doors were fastened with strong locks and bolts, he was unable to gratify his godless desire.' Proceedings of this sort were the natural and necessary consequence of the sermons of the new religionist preachers, who, like Bugenhagen, for instance, openly nicknamed the holy Sacrament of the altar 'the great Baal,' and threatened to trample under foot the most sacred elements. The poor misguided populace thus felt themselves at liberty to commit the worst offences. It is a fact that in 1543 adherents of the new faith took an 'Ecce Homo' picture to a dance in the guildhall, drank its health, and receiving no answer threw the beer in its face. The Catholic parish priests were driven out of Hildesheim. Later on it was enacted that every person who thenceforth communicated in one kind 'should be banished in perpetuity from the town, and in case of death should be buried in the knacker's yard.' All the goods, moneys, and bonds of the churches and cloisters, together with all the jewels, chalices, monstrances, and costly crucifixes, were carried off. The complaints and remonstrances of the bishop and the commands of the Imperial Court were all unavailing.

In the imperial city of Mühlhausen also there was a complete subversion of ecclesiastical conditions.

After the battle of Frankenhausen, Mühlhausen, with reservation of the rights of the Emperor and the Empire, had been obliged to surrender to the Elector John of Saxony, Duke George of Saxony, and the Landgrave Philip of Hesse ; it still retained its character of an imperial city, but these three princes ruled over it alternately for a year at a time. After the terrible experiences under Thomas Münzer the town council and the burgesses showed themselves staunchly loyal to the Catholic faith, in spite of all attempts at proselytising them on the part of the Elector and the Landgrave. ' As long as my father-in-law, Duke George, is alive,' Philip said once to a deputation from the Council, ' I will let them alone ; but when he dies things must be altered.' After Duke George's death the villages within the jurisdiction of the town were protestantised without regard to the remonstrances of the Council. The Emperor, as immediate overlord of the town, had taken it under his protection, and the Diet at Spires had announced the full restoration of its freedom as an imperial city ; but the Elector of Saxony and the Landgrave of Hesse would recognise no foreign rights, no imperial rights. After the conquest of Wolfenbüttel they sent ambassadors to Mühlhausen charged with the threat that ' the town would be laid waste and given over as booty to the soldiers if the council did not submit unconditionally.' The council knew well how the undisciplined hordes had behaved in the duchy of Brunswick, and being unarmed and defenceless was obliged to yield. The freedom of the town was forfeited and the Catholic

faith was forcibly suppressed. Commissioners appointed by the princes shut up the schools and monasteries, took away the church treasures, and introduced a new church system. On September 14 Justus Menius preached the first Protestant sermon in the church of St. Mary.[1]

A new form of government had already at that time been established in the duchy of Brunswick and an ordinance of ecclesiastical visitation drawn up.

The government consisted of one Saxon and one Hessian stattholder, with two temporal and two spiritual councillors, besides which the Saxon and South German towns were each to nominate one councillor. On September 1 the stattholders received orders to send Johann Bugenhagen and Anton Corvinus on a tour of inspection through the land 'to put down idolatrous practices everywhere and to appoint Christian preachers.' 'All that came to hand in the way of ready money or jewels, or was found in churches and ecclesiastical institutions, was to be brought to Wolfenbüttel.' All the servants and officials of Duke Henry and all his adherents in Wolfenbüttel were to be sent out of the country.

The whole population of the duchy was compelled to swear to the Landgrave and the other members of the League of Smalcald 'that they would recognise them and their heirs and successors as their rightful lords and rulers and would obey them as loyal subjects.' They were obliged to swear 'to pursue as an enemy

[1] Schmidt's *Justus Menius*, i. 273–289. This writer thus defends these proceedings: 'The Elector, John Frederic, believed it his conscientious duty, being lord of Mühlhausen by divine appointment, to reform the place.'

and join in condemning to outlawry' their hereditary lawful Sovereign, Duke Henry, and his kinsmen.[1]

The Elector of Saxony especially appeared in the light of 'a gallant hero of evangelism.' At the very beginning of the campaign, when the first town was entered, 'the pious prince,' so says a contemporary song, 'planted the word of God, visited the temple of God, and drove the devil out of it.'[2] Everything that was Catholic, John Frederic declared, 'was more venomous than devil's work; he would suffer none of it to remain in the land, even if he had to use harsh measures; for he was a lover of Christ.'

'This does not agree,' says an account by a Catholic of the proceedings in Brunswick, 'with the wild drinking orgies at the castle, which went on daily in a manner that had never been witnessed before, although Duke Henry had loved a jovial life; still less does it agree with the vices and outrages against nature indulged in by the Elector at the castle, as is commonly reported, and concerning which there is much talk among the court people.' This report repeats the charge of sodomy made by Philip of Hesse against his fellow-confederate.

'The Gospel ought not to be made a cloak for shame,' the writer goes on to say. 'It is all very well to say: "Faith alone insures salvation; works cannot do it." No verily, works cannot do it without faith; but works of shame are not covered and cancelled by faith, however loud people may cry out: "The Gospel! the Gospel!"' 'What they have got to do is to attack the devil in their own bosoms and

[1] Formula of the oath of allegiance in Lichtenstein, pp. 91–92.

[2] Koldewey's *Reformation*, p. 258.

root him out from their own natures, and not go on thus denouncing as abominable and as emanating from Satan all that the holy Church has taught for so many centuries, and what the holy Fathers too have taught, and the wisest men and the greatest kings and princes and multitudes of other people of high and low degree have practised, the very forefathers even of those princes who now call themselves evangelical.'

In the name of a set of doctrines which pretended to be 'the newly developed faith in the Gospel of eternal love,' it was said in the introduction to a new code of Church ordinances that the teaching of the Catholic Church concerning the way of Christian perfection, concerning vows, the holy sacrifice, Communion in one form, the veneration of saints, Purgatory, and other points, was 'godless devil's doctrine and lies of antichrist. Those antichristian papists do not even deserve to have their devilish doctrines reformed by a Christian council.'

The looting of churches and cloisters now became almost universal. Not only were all the jewels stolen from the churches, but also all the 'superfluous' bells, under the plea that they had ministered to 'idolatrous superstition, pride, and pomp.' Even the 'strongly evangelical' town of Helmstadt opposed this step; but all in vain. Such a quantity of bells were stolen from the cloisters, towns, boroughs, and villages, that nearly 2,500 cwts. of bell-metal were sold for 20,000 florins.[1] The monastic property was all confiscated and squandered. The abbot of Ringelstein estimated the extent of the losses sustained at more than 10,000

[1] Koldewey, pp. 301, 336, note 38.

florins.[1] An army of greedy and well-paid officials, like a flight of hungry vultures, swooped down upon the country to devour its substance. Members of the nobility who had been 'busy' against Duke Henry received, besides the castles allotted to them, 'gratifications' of as much as 2,000 florins.

Respecting the condition of Church affairs, two of the visiting inspectors wrote to Bugenhagen in 1543: 'In all the churches and country parishes, although they lie close together, each different clergyman teaches, preaches, and administers the Sacrament according to his own ideas and methods. Many of them complain that the people cannot be brought to attend the Lord's Supper, and that they despise sermons and the sacraments, and even say openly that "the parsons themselves do not agree about the Gospel; why therefore should we listen to them? We will stick to the old ways." In some parishes the stipend is so small that no clergyman can exist on it. There are some livings, now vacant, which nobody is willing to accept; and if pastors are put into them poverty soon compels them to resign. If we apply to the lord of the district for help and suitable remuneration for the clergy, I need scarcely tell you how little such a course pleases the people at court; moreover there is such constant revelling and carousing going on at court that the Lord Christ and His people are everywhere and always forgotten.'[2]

[1] Koldewey, p. 298: 'An enormous sum when it is considered that a barrel of March beer was sold for 3 florins, a plough-horse for 10, a cow for 4, a pig for 1, and so forth.'

[2] Koldewey, pp. 302–306. Fuller details about the inspectoral visitations of 1542 to 1544 in Koldewey, pp. 257–289, 306–316. Burkhardt, *Sächs. Kirchen and Schulvisitationen*, pp. 297–320. Already under

The peasants refused all dues and payments to the preachers and other new Church officials, 'because they do more harm than good with the Church revenues, which they misspend and squander in drink, while they will not give anything to the poor.'[1]

'There is nothing but division and discord in the land nowadays,' says a report of the year 1545. 'Those who are determined to stand true to the old faith are persecuted and driven away. The poor nuns in the convents are treated more contemptuously than if they were bad women; they are persecuted to make them abjure their vows, and their bodily sustenance is taken from them. Nowhere is there any justice or order. The churches are empty, but the public-houses full; the lower classes imitate the upper, and there is no end to drinking and profligacy of all sorts.'

From the Empire the Smalcald confederates had met with no resistance to their measures of violence in Brunswick. On August 6, 1542, Duke Henry notified to the members of the Diet assembled at Nuremberg that 'neither against Goslar, since the Emperor had suspended the ban, nor against Brunswick had he undertaken any hostile proceedings, and also that at a provincial Diet he had given orders to his subjects to see that no injury was done to either of these towns.' He had sent his due contingent of troops, cavalry and infantry, with the necessary money and supplies, against the Turks, and 'had remained tranquil in all matters;' the 'forcible violent invasion' of his territory had been

Duke Henry the larger portion of the parochial clergy had had to struggle with want of bodily provision. There were some livings the annual income of which did not exceed from two to three florins.

[1] Koldewey, *Reformation*, p. 311.

a most flagrant violation of the *Landfriede* and of the armistice settled by the Emperor.[1] In response to this appeal the Estates of the Diet sent 'influential commissioners' to the chiefs of the Smalcald League with 'inhibitory instructions' from King Ferdinand and the Empire. But the invaders did not suffer themselves 'to be in any way checked.' Their undertaking, they said in a despatch of August 11, 1542, was an act of 'legitimate defence.' On August 13 the Diet at Nuremberg decided that 'as this question appertained to their Imperial and Royal Majesties' it should be referred to them. In order to prevent 'still greater disturbance of the peace' and delay in sending in the Turkish aid, Ferdinand informed the invaders on August 24 that 'no forcible measures would be instituted against them on account of their warlike proceedings until after a fair trial had taken place, or a friendly explanation had been made, and he guaranteed their security against all aggression.' The Dukes of Bavaria promised the Elector and the Landgrave 'to engage in no measures of violence against them and their associates, and to give no help to the Duke of Brunswick.'[2]

The forcible seizure of a territory over which the invaders possessed no shadow of a right was provisionally recognised as a legitimate proceeding. The Smalcald confederates were left undisturbed to 'root out' the Catholic faith in this foreign land.

The Imperial Court alone asserted its authority, and on September 3 summoned the Elector of Saxony, the Landgrave and his fellow-confederates to Spires

[1] Frankfort archives, 'Acta Protest.' D 42, No. 4, fols. 81–86.

[2] Melanchthon, October 14, 1542, to Duke Albert of Prussia, *Corp. Reform.* iv. 878.

to answer for their breach of the *Landfriede* committed against Duke Henry on November 17, ' and either to be laid under sentence of outlawry or else to show sufficient cause for their proceeding.'

' A citation of this sort ' from the highest imperial tribunal appeared to the Protestants ' an abominable proceeding.' Luther had already in former years called the Imperial Chamber ' *eine Teufelshure.*' And now the Landgrave Philip wrote to Georg von Carlowitz: ' Whereas the Imperial Court is made up of a crowd of wicked, dissolute, popish rascals, whose behaviour towards us and our Estates is altogether corrupt and factious, you can well understand that such a court cannot be tolerated by our Estates, and that we are justified in altogether repudiating it.' On December 4, 1542, the whole body of confederates handed in at Spires a formal document of recusation. They endeavoured to justify their renunciation of obedience on the plea that the promised inspection and reform of the tribunal had not been carried out and that the jurisdiction of the Court over the Protestants had thus been forfeited; besides which all the members of the tribunal were radically opposed to their interests, because they were all adherents of a different religion, and had all sworn allegiance to the Augsburg recess of 1530, in which the Protestants had been declared renegades and heretics, and had been excluded from all benefit of law.

By this act of repudiation ' all justice in the land,' as Philip of Hesse said, ' was obstructed,' and the bond loosened which linked the Protestant with the Catholic Estates, and with the whole body corporate of the Empire.

The fact that the renunciation of obedience to the supreme tribunal of the realm was irreconcilable with the constitutional laws of the Empire was also recognised by Protestant jurists.

'Whereas the repudiation of the Imperial Court,' we read in a 'Rathschlag' and memorandum of Hamburg, 'is based on the consideration that the judges and assessors of the Imperial Court are not of the same faith as the Protestant Estates, there would follow this inconvenience and absurdity, that until the ending of the Council the Protestants would not tolerate any one of the opposite party as a judge. And *vice versa* the judgments of Protestants would not be accepted by the Catholics. And thus the subjects of the Holy Empire would be left without judges and magistrates, which would be contrary to divine justice.'[1]

[1] Bucholtz, v. 307.

## CHAPTER XVIII

DIET AT NUREMBERG — FURTHER STRENGTHENING OF THE LEAGUE OF SMALCALD — ATTEMPT TO PROTESTANTISE THE ARCHBISHOP OF COLOGNE, 1543

A FEW weeks after the repudiation of the Imperial Court by the Smalcald confederates King Ferdinand opened a fresh Diet at Nuremberg, on January 31, 1543, in order to obtain subsidies for war against the Turks. He informed the Estates of Solyman's gigantic preparations by land and by water and of his intended expedition with a view to subjugating the Austrian crown lands and hereditary possessions. The Elector of Saxony, to whom the King had sent two successive deputations to invite his attendance at the Diet, had refused to come; and indeed not one of the Smalcald princes appeared in person.

On January 10 the delegates of the Protestant Estates at Nuremberg had decided 'to take no part in any transactions whatever, whether respecting the Turkish aid or other matters,' unless all their previous demands were satisfied. Saxony and Hesse had declared menacingly on January 25 that 'if the King and the imperial commissioners would not put a stop to all the proceedings of the Imperial Court, especially those instituted in punishment of the necessary and legitimate defensive expedition against Duke Henry of Brunswick, they would recall their delegates from the Diet, and

the rest of the Protestant members would probably do the same.'

'To restore his territory to the Duke was impossible,' the delegates of the confederate princes signified to the Bavarian councillors, 'because Henry was a tyrant and had stirred up war against Saxony and Hesse, as had been discovered from the papers found at Wolfenbüttel. It had also been learnt from these papers that it was Henry's intention 'to tolerate only one religion, to stake life and fortune on the venture, and to brave all danger.' 'If he were to be received back again in his territory he would at once begin to restore the old religion and to extirpate the Protestant doctrines and rites, to the great distress of many excellent persons.' Therefore, until the arrival of the Emperor, they would not let the country go out of their hands.

'It was a most extraordinary and remarkable thing,' said the Catholics, 'that the Protestants should think they had a right to alter the religion in a Catholic country at their liking and by force, while they would not allow a Catholic prince to stir an inch in defence of his own religion. Nevertheless they did not wish to impede or delay the help against the Turks.' Accordingly, in order to satisfy the Protestants, the Catholics, in concert with the King and the imperial commissioners, urged Duke Henry in the 'recess' of the Diet, 'in view of the present necessity of Christendom, to have patience with regard to the complaints he had lodged with the Imperial Court, and to pause until the arrival of the Emperor.' 'But in spite of this the Protestants still refused to give any help against the Turks.'

On April 23 Ferdinand described 'personally and with tears in his eyes' to the Saxon and Hessian delegates 'the extremity of need in which the country stood on account of the Turks.' He complained 'so bitterly and supplicatingly that they had felt especial pity for him,' but, in obedience to orders, they had promised nothing. The King also laid his entreaties for help before the delegates from Strasburg, Augsburg, and Ulm, begging them to remember how favourable both he and the Emperor had always shown themselves to the towns. But the delegates answered with a list of grievances and declared their inability to give any help. 'When they complained of this inability to help,' says a report, 'his Majesty answered that the towns had always money enough to help in raising disturbances in the Empire and driving out princes; if they were able to do this they ought also to help in the other case; they had better take care that they were not drawn into a barren enterprise by the Princes of the League.'

When Ferdinand realised that there was nothing to be got out of the Smalcald confederates, he at once ordered the promulgation of the recess in which contingents of 20,000 infantry and 4,000 cavalry were promised for resistance against the Turks. The confederates entered a formal protest against it, and at the instigation of Granvell the King actually allowed this protest to be read out in open Diet and to be handed over to the Chancellor of Mayence, whereby the recess lost its entire force.[1]

'Granvell and Naves were the masters.' After the

[1] F. D. Haberlin, *Neueste teutsche Reichsgeschichte vom Anfange des schmalkaldischen Krieges bis auf unseren Zeiten*, xii. 403–413.

protest had been read out Ferdinand told ' some of the delegates of the protesting members that, in spite of its having been rejected, the recess must nevertheless be obeyed in all points, including the suspension of the proceedings of the Imperial Court.' Naves was despatched to the members and assessors of the Imperial Court with stringent orders to them that they were to conform to the recess and to refrain entirely from all legal procedure and sentences against the Protestants, and this not only ' in all matters which concerned these present parties,' but also ' in all future cases.'

The representation of the Imperial Court that the imperial jurisdiction in the realm ought to be maintained and treated with respect, that this chief tribunal should not be shorn of its power and dignity, that justice should be allowed free course, and that they should not be sentenced without trial, met with no consideration whatever. Granvell gave the delegate of the Elector of Saxony the distinct assurance that ' the persons who constituted the Imperial Court would not be allowed to remain in office. The Emperor, undoubtedly, would be further discredited in consequence, in the opinion of many, but they might brand him (Granvell) as a liar if this did not come to pass.'

In consequence of Ferdinand's having said to some of the delegates of the protesting members that ' he felt convinced that the latter, in spite of their protest, would, as Christians, in consideration of the extreme urgency of the case, grant him help in conformity with the terms of the recess,' the Smalcald confederates passed, on April 28, the following resolution : ' No member must consent to contribute help against the Turks, whether secretly or openly, however much it

might be begged for, until the demand for the settlement of a lasting peace had been acceded to.'

'The more the Catholics humbled themselves the higher did the Smalcald confederates raise their demands. There was only too much truth in what was said by many at the Diet, that the Empire had already been for years past almost entirely under the dominion of the League, and that no one dared utter a word of complaint. The members of the Smalcald League were all the more vehement in their opposition to the Emperor, the King, and the submissive States because of their success in capturing the bishoprics of Naumburg and Meissen, and, above all, the duchy of Brunswick, and because no punishment had followed these illicit proceedings, and also because their confederacy went on steadily adding to its numbers.'

At the Diet at Nuremberg Franz von Waldeck, bishop of Münster, Minden, and Osnabrück, offered himself at once, through a representative, for admission into the League. As late as in 1540 and 1541 Franz had received sacred orders, but in secret he had long cherished Lutheran opinions and had allowed Hessian preachers undisturbed license to preach the new doctrines in his different dioceses. He had contributed troops towards the expedition against Henry of Brunswick.[1]

Now he wanted to embrace the 'Gospel' openly, and he hoped, 'in the event of a successful issue of the war, that one or other of his bishoprics would be made over to him as an hereditary possession.' 'The profligacy of his life gave great offence to the Catholics of Westphalia.' He was also 'inordinately addicted to

[1] Lenz, ii. 102: Varrentrapp, *Hermann von Wied*, p. 123.

drinking.' The councillor of the Saxon Elector, Melchior von Ossa, who once had a personal interview with him in Saxony respecting business of the Smalcald League, gives the following account in his diary of the unworthy behaviour of the bishop: 'All day and all night almost he went on drinking, chiefly in company with Hermann von der Malsburg, so that when he wished to go to bed in the morning it needed four or five people to help him in. Once he fell headlong. When he had well drunk, order was given to blow the trumpets and beat the kettle-drums.' [1]

Franz promised the Smalcald confederates, in case of need, to place monthly at their disposal 400 fully equipped cavalry with all necessary appurtenances; and if he could come to any agreement with his subjects concerning religion, he said, he would contribute even more. Saxony and Hesse advocated the admission of the bishop into the League. 'Those who are acquainted with the conditions of these bishoprics,' says the protocol of the meeting, 'report that in no other district of the Saxon lands are the soldiers, both infantry and cavalry, so easy to collect and also to maintain as in these bishoprics, for which reason the bishop may be able to render this Christian union much service in its time of need.' The bishop, it was true, had not yet come to an understanding with his people in respect of religion, but it was rumoured that the nobles and the

[1] Von Langenn, *Melchior von Ossa*, p. 74. Concerning the dissipated, immoral life of this bishop see the memorials of Caspar Schele von Schelenburg (1525-1578) in the *Mittheilungen des histor. Vereins zu Osnabrück*, 1848, Jahrg. i. pp. 85-134. Anna Poelmans, the Bishop's mistress, was in later times reduced to poor circumstances. In 1555 she begged Bishop Wilhelm von Ketteler, 'for the sake of her poverty and of her poor children,' to see that some money due to her by the late bishop's doctor be paid.

common people 'were very eager for the Gospel:' in Minden and Osnabrück 'the Gospel was already preached in its purity;' if the bishop received Christian protection and help from the League against 'the obstructionists,' there was no doubt that he would everywhere root out 'the misleading popish errors and abuses.' He would then be regarded 'by many other bishops as a Christian example.' However the committee of the members did not think fit to admit the bishop apart from his diocese and people. If only some of the Estates and towns would coalesce with him, the enrolment might take place even if the 'chapters and the whole diocese were not of the same opinions;' whether or not the three cathedral chapters were amenable 'was not of much importance.' The Landgrave of Hesse was to be appealed to to negotiate with the bishop concerning the matter.

A second Prince of the Empire who, at the Diet at Nuremberg, renewed his already uttered request to be received into the League of Smalcald was the Count Palatine Otto Heinrich of Pfalz-Neuburg. He described himself as 'a newly awakened zealot in the cause of the evangel.' By his extravagance in building, the pomp and splendour of his court, his love of gambling, and his 'epicurean mode of living,' Otto Heinrich had plunged so deeply into debt that he was reckoned 'the most impecunious prince in the whole Empire.' 'From pressure of debts' he and his brother, the Count Palatine Philip, had found themselves constrained in the year 1542 to sell the lordship of Heideck and the two districts of Stein and Allersberg to the town of Nuremberg. 'There were many people,' says a Protestant writer, 'who would gladly have hindered such a

sale, especially the Bavarian princes; for the papists were talking unpleasantly about it and saying that the princes had become Lutheran, in order to despoil churches and seize ecclesiastical property, and thus enable themselves to face their expenses at the Imperial Diets.' In Nuremberg 'at the same time a whisper went round that the districts of Amberg and Sulzbach also would soon begin to waver.' 'And so things here are in a very bad way. The towns are absorbing everything into themselves, and are growing daily richer and more powerful, while the princes grow poorer and poorer.' 'The debts which the two brothers have incurred with the Ebners and other tradespeople in Nuremberg amount to no less than a million florins.' [1]

The provinces 'pawned' to Nuremberg were forthwith compelled to become Protestant. Notwithstanding the sums thus procured Otto Heinrich was still 'besieged with creditors' even after he had sold all his admirable artillery to Augsburg. He resolved accordingly to have recourse to confiscation of church goods, and by the advice of his treasurer, Gabriel Arnold, a man of ill fame, who later on was convicted of perjury and common thieving, he caused a new scheme of church regulations to be drawn up by Osiander and two other preachers, and had it proclaimed in his principality in 1543.[2]

It was decided by the Estates that the question of the admission of the Count Palatine into the League, as also that of the King of Sweden, who was anxious to be

[1] Voigt, *Fürstenleben auf den deutschen Reichstagen*, pp. 406–407.

[2] S. Winter, 'Die märkischen Stände zur Zeit ihrer höchsten Blüte' (1540–1550), in the *Zeitschrift für preussische Geschichte und Landeskunde*, ii. 107.

made a member, should be discussed at the next meeting of the League. The town of Hildesheim was formally enrolled, with assurance of help against the Imperial Chamber and against the bishop (who had received an imperial mandate in his favour). 'The town,' so ran the promise, 'was not to let itself be frightened by anything, but to persevere in the divine truth and doctrine, and the League would never forsake it.'

The Archbishop of Cologne, Hermann von Wied, also begged to be received into the League.

For years past this Archbishop had shown a predilection for the new religion. In the year 1539 there had been a plan for Melanchthon's coming to Cologne.[1] At the religious conference at Hagenau Hermann entered into closer relations with Bucer. 'The Archbishop of Cologne,' wrote Duke Louis of Bavaria from Hagenau on June 30, 1540, 'is reported not to have heard Mass for about ten years past, and to have no respect for the Church or for divine worship.' That Hermann, as the Emperor said, 'had not said Mass oftener than three times all his life long' was the more readily to be explained because he did not understand the Latin language. For the same reason all serious theological study was alien to him. But he was known to be 'an excellent sportsman.' Although he was already long past sixty, he was still thinking of taking to himself a wife. So at least the Protestants said.

On the strength of the Ratisbon recess, which enjoined imperatively on the prelates the institution of 'Christian regulations and reforms,' Hermann proceeded

[1] Varrentrapp, *Hermann von Wied*, pp. 83, 85–93, 99.

to the work of establishing the new creed and Church system in his archbishopric. The first steps to 'reformation' were to be the 'unalloyed preaching of the Gospel,' the administration of the Sacrament in both kinds, and the marriage of the priesthood.[1] Bucer, whom he had summoned from Strasburg to his court to conduct the work of reform, delivered his first sermon in Bonn towards the end of the year 1542. The *Chorbischof* of Cologne, Count Christoph von Gleichen, who was also a canon of Strasburg, and who had become more closely acquainted with the progress of the new religion in the latter town, made it his business for the sake of warning to give an unedifying description of the state of things there. 'The heaviest charge which the adversaries can bring forward against me with well-disposed persons,' wrote Bucer from Bonn to Blarer on February 18, 1543, 'is that we receive people at the Lord's table without examining them beforehand, and without knowing who they are, and that most of our flock have altogether given up receiving the Communion. And they say, and not without some plausibility, that the same sort of fruit which my preaching produced at Strasburg is also to be looked for here. Here in this land especially, where the pastors of souls are held in high estimation, and the people are distinguished for willing obedience in Church matters, there is great alarm among all who have any Christian feeling, because in a well regulated republic and Church there are such numbers of people —and many of them distinguished people— who do not communicate at all, while those who do communicate are admitted without previous examination. All this has been exposed by that one-eyed Count von Gleichen

[1] Varrentrapp, *Hermann von Wied*, p. 125.

at Cologne; and so I am in disgrace, humiliated and obliged to keep silence.' [1]

Immediately after Bucer had begun his sermons the cathedral chapter of Cologne remonstrated strongly with the Archbishop. They represented to him most seriously that 'in every street of the town there was a loud outcry against foreign preachers having been called in; the Archbishop had promised at his election to undertake nothing without consultation with the chapter, and, so long as he had observed this promise, he had maintained his land and subjects in peace. The new preachers would disturb this peace and destroy the old religion and the ancient usages. Anarchy and dissolution, decay of spiritual authority and loss of all our privileges, rights and immunities, together with insurrection and riots in the town and the diocese of Cologne, are in the highest degree to be feared, and indeed are to some extent already going on.' The town council of Cologne demanded the removal of Bucer and appointed a bench of magistrates who, in conjunction with the chapter, were to provide for the safety of the old Catholic faith.[2]

In order to strengthen the Archbishop's hands the Elector of Saxony and the Landgrave of Hesse guaranteed him their help and counsel in case of his being assailed by the Catholics on account of his proceedings. At the end of February 1543 Hermann thanked the Landgrave for this assurance of aid, and said that 'in case of need he would accept the help of the evangelical princes and notables.' [3]

[1] Döllinger, *Reformation*, ii. 28–29. See Bucer's letter of September 20, 1543, to Philip of Hesse in Lenz, ii. 159–162.

[2] Varrentrapp, pp. 126–131, 142–143, and Appendix, p. 61.

[3] Neudecker, *Actenstücke*, pp. 289–291; Varrentrapp, pp. 139–140.

At a Provincial Diet held in the month of March the majority of the temporal Estates of the diocese made over to the Archbishop the privilege of choosing for himself the men he thought suitable for 'carrying on the work of Christian reform,' and offered to take part themselves in the examination of the reform regulations. Melanchthon also came to Bonn and co-operated with Bucer in drawing up a new code of Church ordinances, which the Archbishop thought of laying before the Provincial Diet in July.

At the request of Bucer and Melanchthon the Smalcald confederates determined on sending a deputation to the chapter, the Estates, and the town of Cologne, with the threefold object of complaining to the chapter of a libellous pamphlet that had been published in Cologne against the members of the League, of seeking out among town councillors the persons designated by Bucer and Melanchthon in order to influence them in favour of 'evangelical truth,' and of admonishing the members of the Provincial Diet 'to go forward valiantly in the work of religious reform and not to allow themselves to be thwarted; the Smalcald League was ready to help and advise them.'

With special reference to the Archbishop of Cologne Philip of Hesse recommended that the Bishop of Münster, who was ready, in the event of war, to maintain 500 cavalry, should be admitted into the League. 'If this bishop could be gained over to the Gospel, it would be of great advantage to many people, among others notably the Bishop of Cologne.' [1]

At the Provincial Diet at Bonn the deputies of the

[1] Philip's instructions to his envoys, July 8, 1543, in Neudecker, *Urkunden*, pp. 668–670.

Smalcald League experienced an agreeable surprise. The Cologne cathedral chapter had stipulated that the reform regulations drawn up by Bucer and Melanchthon ' should not be laid before the Provincial Diet until they had been jointly considered by the Archbishop and the chapter,' and the chapter had pronounced itself ready to ' consent to all suitable reforms.' The Archbishop, however, would not agree to this demand, and the temporal Estates left ' the matter of reform ' entirely in his hands.

Nevertheless the Cologne Book of Reform by no means met with undivided approval from the Protestants. Luther, who had again come into angry collision with the ' Sacramentarians,' expressed his particular displeasure with the teaching of this book on the Lord's Supper. ' Nowhere,' he wrote to the Saxon Chancellor Brück, ' does it enlighten us as to whether the veritable body and blood are partaken of with the mouth.' ' The book is not merely *tolerable* to the Sacramentarians, but quite acceptable, as it is conformable rather to their doctrine than to ours. The whole thing, moreover, is so lengthy and spun out that I plainly detect in it the hand of that babbler Bucer.'

Melanchthon wrote to friends abroad that Luther was going to publish a rabid pamphlet against himself and Bucer ; when it happened he said he should leave Wittenberg. At the intercession of the Elector of Saxony and the Chancellor Brück Luther consented to be satisfied with Melanchthon's explanation that he had not written the offensive chapter on the Lord's Supper, but had drawn Bucer's attention to the seriousness of the matter. In his ' Kurzes Bekenntniss vom heiligen Sacrament ' (' Short Confession of the Holy Sacrament ') he did not

direct his attacks against Melanchthon and the Cologne book, but principally against Zwingli, Oecolampadius, and Schwenckfeld, whom he denounced as '*eingeteufelte, durchgeteufelte, übergeteufelte* blasphemers and liars.'

The action of the Archbishop of Cologne in the spring of 1543 had awakened all the greater hopes in the minds of the Protestants because Duke William of Jülich-Cleves had promised to associate himself with the 'reform work' of Hermann. 'The Elector of Cologne, a right worthy bishop,' wrote Veit Dietrich on April 30 to Duke Albrecht of Prussia from Wittenberg, 'is throwing himself energetically into the work of having God's word preached in all purity and simplicity, and yet among all his councillors, as I know for a fact, he has not more than two who help and support him in his endeavours. But the good old lord does not let himself be deterred or frightened by anything or any one, neither by the Pope, the chapter, nor the Emperor.' There is a report that 'he too intends to marry.'

'The Bishop of Münster is following this example. The Duke of Cleves has during this Lent for the first time received the Sacrament in both kinds, and is full of hopes, as his councillors here have given out, that he will be able to bring the whole country round to our doctrine.'

While Philip of Hesse had advocated the admission of the Bishop of Münster to the League of Smalcald, the Elector of Saxony recommended his brother-in-law, the Duke of Jülich-Cleves, for membership,[1] and also assisted him with troops for war against the Emperor.

[1] Ranke, iv. 208.

## CHAPTER XIX

MILITARY EVENTS—NEGOTIATIONS WITH PROTESTANT PRINCES—DEFEAT OF THE DUKE OF CLEVES—POSITION OF THINGS IN GENERAL, 1543–1544

The position of the Emperor and of the whole Austro-Burgundian House had been a most perilous one since the renewed outbreak of war with the Turks and the French.

In April 1543 Solyman, goaded on by the French King, had set out from Adrianople at the head of a formidable army to wage 'the holy war.' It was at the very time when Ferdinand, with tears in his eyes, had in vain implored the Protestant members of the Diet for help against the Turks. Francis I. gave the Turks money aid to the extent of 300,000 ducats, and the Venetian Republic gave them 16,000 ducats in gold. In June Solyman marched into Southern Hungary, where Ferdinand had not been able to raise any troops to oppose him. Within a few weeks he conquered Valpo, Siclos, Fünfkirchen, Gran, Tata, and Stuhlweissenburg, while the Tartar hordes deluged the plain country, burning and plundering everywhere and carrying off thousands of inhabitants into slavery. It was only with great difficulty that Ferdinand, by means of an army raised in his hereditary dominions and strengthened by 4,000 men sent him by the Pope,

succeeded in keeping the Turks back from the invasion of Austria.

While Solyman was invading Hungary Barbarossa landed with the Turkish fleet at Reggio in Calabria. He devastated the coasts, joined the French fleet at Toulon, and with the help of the latter, on August 20, captured Nizza, the last refuge place of the Duke of Savoy. The town was completely sacked by the Turks and the French and in great part destroyed. All women and children whom the Turks could get hold of were turned into slaves. Barbarossa sent 5,000 Christian slaves in four ships as a present to the Sultan; these ships, however, fell into the hands of the imperial squadron, and the prisoners were set at liberty.

Already before the Turks had set out on this march the flames of war had broken out in the Netherlands and in Jülich. The Duke of Cleves, with the help of the troops furnished by the Saxon Elector at the end of March, had beaten an imperial army of 10,000 men at Sittard.[1] His general, Martin von Rossem, at the head of 25 companies of infantry and 1,200 cavalry, invaded the bishopric of Utrecht, and by the conquest of Amersfoort in July gained a secure base for his looting expeditions. Francis I., the ally of the Duke of Cleves, had, meanwhile, captured several towns in Hainault, and fortified Landrecy as being the key of the county.

'Turks, French, and German-French had the upper hand again everywhere.' The Germans, wrote Donato de Bardi on April 14, 1543, 'are as disunited as they can be, and they themselves are predicting their own

[1] Seckendorf, iii. 427.

disastrous ruin.'[1] While the Protestants were not to be prevailed upon to contribute any help for the Emperor and for King Ferdinand, the Bavarian Chancellor, Eck, was inciting the heads of the League of Smalcald against Charles V., whom he described as 'envious, faithless, insufferably haughty, and as wishing to reduce all the German princes to bond-service,' and against the Pope, who was 'a wicked man, cunning and false.' Saxony and Hesse should, he said, 'form an alliance with Bavaria for the preservation of German freedom.'[2] For the sake of this freedom Francis I. meditated making himself master of imperial hereditary lands.

At the Diet of Nuremberg Granvell, as imperial speaker, did his utmost, but all in vain, to obtain help against France. He promised 'great things' to the envoy of Duke Maurice of Saxony, Christoph von Carlowitz, if Maurice would support 'the Emperor as his liege lord' in the war, whether it were against Francis I. or the Duke of Cleves, and would accept a post of command; by so doing he might render services to the Emperor which would rebound, more than he could imagine, 'to his glory and advancement.' Maurice was ready to agree to the proposal on condition that he received security for the payment of the troops placed under him and a personal monthly salary of 5,000 florins. He further stipulated that the Emperor should transfer to him the protectorate of the bishoprics of Magdeburg and Halberstadt, and enjoin the Cardinal Archbishop Albert and the cathedral chapters to

[1] A. Desjardins, *Négociations Diplomatiques de la France avec la Toscane*, iii. 57.

[2] Seckendorf, iii. 422–423.

comply with the arrangement; and finally that he should bestow on him and his heirs the bishoprics of Merseburg and Meissen unconditionally as 'their own hereditary possessions;' he should then bestow 'handsome pensions' on the present Catholic bishops and appoint other (that is to say, Lutheran) bishops in their place.

Thus did Maurice plainly disclose his immediate political intentions. Granvell expressed his opinion that the Duke 'was standing in his own light' by advancing such demands at present, but he did not reject them unconditionally. 'This military service, he said, would be a preparation for many great things.'[1]

Granvell and Naves also endeavoured to win over for the war against France Schärtlin von Bürtenbach, who was in the service of the Smalcald confederates. They proposed to him to enter Lorraine with an army, offering him the lordship over Metz, Toul, and Verdun. On Schärtlin's answering that if he agreed to this he should drive out the Catholic clergy from all three of the towns and appoint evangelical preachers Granvell replied: 'He was at liberty to do this, but he must not say much about it.' The negotiations with Schärtlin led to no result. The Landgrave Philip forbade him as his paid knight to take part in a foreign campaign.

Lively intercourse was going on between the Landgrave and the imperial councillors. There was even a talk of appointing Philip commander-in-chief in the campaign against France. But after the Emperor had

[1] Transactions of February and March 1543, in von Langenn's *Herzog Moritz*, i. 158–162; Voigt's *Moritz*, pp. 54–55; Brandenburg's *Moritz von Sachsen*, p. 236 ff.

decided to take the chief command himself Granvell informed the Hessian envoy at the Diet at Nuremberg that 'the Landgrave, to whom a subordinate post in the war would not be agreeable, had better be satisfied with the task of maintaining order in Germany, under the Emperor's authority, while the war lasted, and that at the end of it the Emperor would confer with him and his stepson, Duke Maurice of Saxony, with regard to the settlement of the religious question.'[1]

All these transactions are significant as regards the part played in religious affairs by the imperial minister Granvell, who had been sent to Germany by the Emperor as advocate of the Catholic cause. They explain also how the Protestants could entertain the opinion that 'everything in the Empire would fall out according to their wishes.' Philip now evolved a plan 'by which the great heads and potentates might be brought to agreement.' The Emperor was to hand over Milan to France, but in return to confiscate all the papal provinces, and 'instal the Pope with suitable maintenance' as 'Overseer and Bishop of Rome.' Immediately afterwards a council must be held for the settlement of the questions of religion. 'Without humbling the Pope to his primitive position' there could be no peace between France and the Emperor.[2]

Before long, however, it began to seem as if affairs in Germany were taking a favourable turn for the Catholic cause.

At the end of July 1543 the Emperor arrived at Spires, 'splendidly equipped' and with the determina-

[1] Rommel, i. 468.

[2] Despatch of November 30, 1542, to Georg von Carlowitz, in Rommel's *Urkundenbuch*, p. 91.

tion to bring Duke William of Cleves to submission. All the means resorted to for bringing the contention to a friendly issue had been fruitless. Charles had offered the Duke the ståttholdership of Guelders if he would renounce the title of a prince of the land, but the Duke persisted obstinately in his refusal. Grown overbearing through his victory at Sittard and led astray by French promises, he again in August gave an answer in the negative to fresh advances on the part of the Emperor. Thus there was no alternative left but the sword.

With an army of more than 35,000 men the Emperor advanced down the Rhine. On August 24 Düren, the chief stronghold of the duchy of Jülich, was taken by storm and frightfully devastated and pillaged. In the course of a few days the whole country was subjugated. Francis I. at the critical moment left his ally in the lurch. He took possession of the town and province of Luxemburg, in order to 'incorporate them in his crown.' He made also simultaneous efforts to incite the Smalcald princes to take up arms against the Emperor. On August 30 he urged his 'trusty friend and old ally' the Elector of Saxony 'not to submit to let the Emperor destroy the freedom of Germany and subjugate the German princes to his yoke.'[1] His son, the Duke of Orleans, offered to join the League of Smalcald with the conquered duchy of Luxemburg, and to 'introduce the holy Evangel' in the duchy.[2]

[1] J. G. Droysen, *Geschichte der preussischen Politik*, $2^b$, 465–208. See the King's despatches of September 10 and 12, 1543, to Philip of Hesse in Lanz, *Correspondenz*, ii. 645–648.

[2] In September, 1543; see Lanz, *Correspondenz*, ii. 644. See also the remarks of the Emperor against the Venetian Navagero in Gachard's *Trois Années*, pp. 268–269.

Henry VIII., King of England, had long ago given up the Duke of Cleves and dissolved his marriage with the Duke's sister.

'Deserted by the world,' the Duke made his appearance in the Emperor's camp at Venlo on September 7, clad in mourning, threw himself at Charles V.'s feet, and implored for mercy. Charles gave him back his ancient hereditary lands, but compelled him to renounce Guelders and Zütphen and his alliances with France and Denmark, and also to promise to maintain the Catholic religion intact in his territory and to do away with all ecclesiastical innovations that had already been commenced.

The Emperor took Guelders under his suzerainty, binding himself by oath to govern the lands with full regard to their rights and privileges, and to respect the liberties of the Estates. He then marched on into Hainault, in order to drive out the French from Landrecy, the key of this country and of Picardy. Reinforced by an auxiliary army from the English King, with whom he had concluded an offensive and defensive alliance against France on February 11, 1542, he began the siege of the fortress. But, as the winter was approaching, he raised the siege and removed his troops to winter quarters.

The immediate result of the defeat of the Duke of Cleves was that the Archbishop of Cologne's attempts at religious innovation came to a standstill. The Emperor commended the clergy and the council of the town for their resistance to these innovations and encouraged them to persistent defence of the old faith. He insisted on the Archbishop's dismissing Bucer.

Bucer was fiercely indignant with Charles. 'The

Emperor,' he wrote to Calvin on October 22, 1543, 'delights in superstitious nonsense which is only fit for old wives; he repeats long prayers daily on his knees; he tells his beads, lying on the ground with his eyes fixed on an image of the Virgin. He is now openly striving against Christ.'[1]

The Emperor had summoned a Diet to meet on November 30 at Spires, and it was hoped by the Catholic party that "now at last a term would be put to the long-continued attacks and molestations of the Smalcald confederates, that the Catholics in the Protestant districts would be guaranteed the free enjoyment of their religion, and that the question of the unlawful seizure of the bishoprics of Naumburg-Zeitz and Meissen and the raid on the duchy of Brunswick would be settled.' 'Since the defeat of the Duke of Cleves,' wrote Doctor Carl van der Plassen from Cologne, on December 17, 1543, to a canon of Treves, 'great depression and fear have prevailed among the leaders of the Lutherans—both princes and others. If only the Emperor knows how to profit by this state of things, and acts with decision, there will be no need for him to draw the sword even for a moment in order to restore justice and order. The opponents are only strong because no resistance is offered to them, but, on the contrary, they are yielded to at every turn; they are disunited and torn by factions and without any mutual trust in one another. But, nevertheless, I entertain slight hopes of improvement in matters; for the Catholic princes are quite as

[1] *Calvini Opp.* 11, 634. That the Emperor should wash the feet of twelve poor people on Maundy Thursday seemed utterly contemptible to the preacher Brenz. 'Haec spectacula filius Dei diu perferre posset? Non feret.' April 24, 1544, to Melanchthon, in the *Corp. Reform.* v. 368.

much at variance among themselves; the bishops, to say the least, are destitute of manly feeling and most of them anxious only about their personal goods; the Emperor, whose will-power has been weakened by constant illness, is surrounded by traitors.'

The result of the Emperor's military proceedings against Cleves had indeed produced a deep impression on the Smalcald princes. On September 23, 1543, at a meeting of their League at Frankfort, they declared themselves ready, in a despatch to the Emperor, to contribute a Turkish aid, and promised, what they had before refused, to send their commissioners to be present at the visitation or reorganisation of the Imperial Court. To the Brunswick affair they did not allude, but they begged the Emperor that he would not sanction any active measures being taken against them by their adversaries.

When Bucer urged on the Landgrave of Hesse that the Protestant members at the Diet of Spires ought to take a decisive line against the Emperor and the 'parsons,' and come to an agreement among themselves in matters of faith, Philip dilated on the want of unity that existed among the members of the League and the Confession.

'How it will be possible,' he wrote on November 11, 'to get three or four princes to vote together we have no idea.' The Elector of Saxony and many of the South-German preachers, besides the Margrave George of Brandenburg and the town of Nuremberg, would not be likely to accept Bucer's proposals; Duke Maurice of Saxony would not 'seriously offend the priests' because 'a bait had been thrown out to him in the shape of a bishopric for his brother, Duke

August ; ' the Elector Joachim of Brandenburg was not to be counted on, for this prince, so he heard, ' was quite ruined and deeply in debt ; ' as for the Elector's sister, the Duchess Elizabeth of Brunswick-Calenberg, her rule was so disorderly, and her self-conceit so boundless, that one could not tell what to expect from these people ; the Duke of Würtemberg did not understand such great matters and was much more concerned at having to give back his ecclesiastical possessions, ' which were the main source of his Grace's mundane prosperity.' The Archbishop of Cologne was still deficient in right understanding of many matters appertaining to religion, and was withal poor-spirited ; and, finally, the South German towns were also difficult to win over. ' From all which you can judge for yourself what a hopeless condition we are in, and how much chance there is of our coming to an agreement among ourselves, how much reliance is to be placed on our fellow-confessionalists, as well as on those who, though not followers of the Augsburg Confession, are still to some extent partakers in our faith.' [1]

In the League of Smalcald there no longer existed ' a friendly understanding ' between the leaders and the towns. The towns complained that ' grievously unjust burdens were laid on them by the princes ; ' the Land-

[1] Rommel, *Urkundenbuch*, pp. 97–104. Lenz, ii. 191–197 ; answer to Bucer's proposals, ii. 174–189. The Venetian Marino Cavalli had already in 1542 pronounced the following judgment on the confederates of Smalcald : The princes of the League ' si sono scoperti lutherani più per poter *tiranneggiare e far il Dominus in Germania*, servendosi del favor e danaro di esse [the towns], che per desiderio di riformazion o' Evangelio.' Princes and towns ' ora si ritrovano in molta confusione e discontentezza.' . . . ' Per questi rispetti e altre diversità di parere la Germania è tanto disunita, che reputo cosa facillima che l' Imperatore, con autorità e forze sue, ne disponga come gli piace.' Albèri, Ser. I. iii. 113–114.

grave of Hesse was accused of having squandered the funds of the League. With regard to a bill of charges handed in to the League by Saxony, the Frankfort council remarked that it was surprising that 'such an account should be laid before intelligent people.' 'The princes of the League,' wrote some of the Frankfort delegates, 'think only of their own interests and are intent only on turning political matters to their own private advantage, in consequence of which the towns are placed in all manner of difficulties and dangers, and have good reason for seriously considering their situation.' 'It is well that our adversaries do not know how discordant and disunited we are; for otherwise, if they acted with daring, they could easily bring us into evil plight. Our whole fabric has become rotten.'

Melanchthon also, in private letters, spoke almost despairingly of the condition of affairs. In particular he reiterated his complaints about the princes. These men, he said, had no solicitude for ecclesiastical matters; under the cloak of religion they were merely indulging their passions and exercising tyranny. Almost all of them were burdened with debts, and they ground down the people with intolerable taxes: the new Church was like a ship without rudder and sails, tossed hither and thither on the stormy waves.[1]

Affairs everywhere, the town council of Constance complained on February 5, 1544, were in such confusion that no human means could any longer avail. 'Germany is altogether sunk and steeped in all sorts

[1] Letters in the *Corp. Reform.* v. 62, 82–83, 219; see also v. 46, 56 Similar complaints from Luther concerning the princes occur in De Wette, v. 548, 552, 703.

of sin and vice ; ' in the towns all the old respectability and civic discipline had died out ; everything was made to minister to pride, luxury, and insolence ; the ' word of God ' had been nominally accepted, but it brought forth no fruits of Christian chastity, godliness, and piety.[1]

Bucer wrote to Philip of Hesse on January 8 of the same year : ' All this extravagance, drinking, grinding of the poor, squandering of the money " sweated " from them, and all the rest of the prevalent sin and immorality which exist among our people are a source of great scandal. I have heard from trustworthy authority that the Emperor himself is indignant at our constant parading of our conscience and the word of God ; for he says : " If we really attached so much importance to the word of God, and our consciences were so much arrested by it, we should show this first of all in our dealing with these iniquities, for the abolition of which we should have blame from no one, but praise from all ; and we should not confine ourselves, as we do, to altering religious ceremonies and seizing Church property, whereby we grievously offend his Majesty and the other Estates." ' [2]

If the Protestants, after Charles V.'s victory over Cleves, had feared vigorous interference from his Majesty in German affairs and a ' coalition of the two great heads, the Pope and the Emperor,' Granvell and Naves on their part had again striven, even before the beginning of the Diet at Spires, to remove all appre-

[1] Frankfort archives, fols. 40–50. An original document of 20 folio pages, ' Der erbaren Frey- und Reichstatt-Handlung und Abschied des gehaltenen Tages zu Speyer,'

[2] Lenz, ii. 242.

hension from them. 'The Emperor was obliged to proceed cautiously,' said Naves to the Saxon Elector's Vice-Chancellor, Burkhard, 'because he was surrounded by priests, with whom many of the secular princes were in league; but the artifices of the Pope were known to the Emperor, and this was a dispensation of God in order that the teaching of the divine word might be all the more promoted.' The Emperor was determined, so Granvell assured Burkhard, to conclude an agreement with the Protestant members, 'whether the Pope approved or not.' Duke Henry of Brunswick had deserved what had happened to him: he was himself to blame for it all.[1]

'Strengthened by such assurances,' the Smalcald confederates assembled at Spires.

[1] Despatch from Burkhard, January 21, 1544, in Seckendorf, iii. 473–474.

## CHAPTER XX

### DIET AT SPIRES—PEACE WITH FRANCE, 1544

In his first address to the Diet at Spires on February 20, 1544, the Emperor described the hostile proceedings of the Turks and the French, and asked for help to fight against both these enemies of the Empire. Owing to the war with France, he said, he would not be able to attend the council convened by the Pope. He also asked the members of the Diet to point out to him the best means for getting rid of the religious troubles.[1]

'What the aspect of things was among the members of the Diet the Emperor learnt at this first sitting.'

Saxony and Hesse, for instance, entered a protest against the presence of Duke Henry of Brunswick: they could not, they said, any longer regard him as a Prince of the Empire, and therefore they could not agree to his having a seat and a vote in the imperial assembly. Henry instantly retorted that the Elector and the Landgrave, with their fellow-confederates, had robbed him of his lands, contrary to divine and human justice and in defiance of the laws of the Empire and

[1] The 'imperial proposition' in the Frankfort Reichstagsacten, 55, fols. 77–85. See Häberlin, xii. 473–475, and Winckelmann, iii. 458 ff. One of the members of the French deputation instructed to sow discord among the German notables at the Diet at Spires was Sleidan, later on historian of the Protestant opposition. Sleidan remained behind in Germany as French spy and reporter. . . . Ulmann, in the *Zeitschr. für Geschichte des Oberrheins*, 1895, pp. 552 ff.

the public peace, and by so doing they had put themselves in the position of violaters of the public peace, who had no longer any right to a place in this assembly.

A new document which had been drawn up against Henry by Saxony and Hesse, and which was handed to the Emperor and read publicly at the Diet, gave little satisfaction to the town delegates of the Smalcald League. The Duke, said the Frankfort delegates on March 3, ' is accused in this document of many strange and wicked doings, which are foreign to the defence.' Among these charges was the renewed complaint respecting Eva von Trott. Moreover, ' to make matters worse,' other princes, such as the Elector of Mayence, the Palatine, and the Bavarian lords, had been drawn in, so that ' it was greatly to be feared that rupture and all sorts of annoyance and injustice would take place.'

In answer to the document read at the Diet on April 5, Duke Henry sent in a vindication, in which he attacked his opponents in the fiercest manner and put several bitter truths plainly before the Emperor. The Smalcald confederates had surprised himself and his land at a time when ' his troops were engaged in an expedition against the Turks ; ' they had suppressed the old faith in his duchy, turned out the clergy, destroyed the cloisters, stolen, sold, and melted down church jewels and bells. The Elector of Saxony had snatched the diocese of Naumburg by force from the Empire and subjugated it and himself, and had set up ' a German Lutheran bishop ' in opposition to the rightful bishop. It was lamentable, Henry represented to the Emperor, that ' these people should be allowed to carry on such violent, uncon-

stitutional, unchristian proceedings, especially as they grew more and more aggressive and went to greater and greater lengths.' They had 'got up conspiracies with the Turks, the Voyvode Zapolya, the King of France, and other potentates.' The Strasburg delegate, Jacob Sturm, had expressed himself in threatening language against some of the envoys at the present Diet, saying that 'the Frenchman was a good lord and master:' he, the Duke, could mention by name the men who had heard these words from Sturm's lips.

The Ratisbon 'Declaration' was also used by the Duke as a butt for his attacks.

The 'nature, scope, and character of anything in the shape of a declaration demanded that nothing new should be introduced, nothing altered, nothing objectionable stated; the only legitimate alterations were such as were necessary for clearing up obscurities: and the original *substance* must remain intact.' The declaration in question, however, was in many places contradictory to the Ratisbon recess and 'the plain, lucid, unambiguous language thereof.' The Emperor had no right to introduce alterations 'in things which had been settled and recorded in the recess by the joint operation of himself and the Estates of the Empire.' Moreover, the Emperor even at the present day had not acknowledged the so-called 'Declaration;' in like manner the Catholic members have not only not subscribed to it, but are of opinion that 'whatever its merit may be it must certainly have been managed in rather a suspicious manner.'[1]

When the Smalcalders attempted to make another reply, the Emperor stopped them with the remark that he

[1] Hortleder, *Ursachen*, 1805 ff.; Winckelmann, iii. 488 ff.

had 'heard enough with the two first documents.'[1] 'The whole Brunswick business and this statement of Henry about the "Declaration" was a thorn in the side of the Emperor. The more the Protestants saw that by means of this Declaration they could drive in a wedge between the Emperor and the Catholics the more obstinately they persisted that it must be adopted in the recess.'

On this condition only would the Smalcald confederates consent to contribute their share towards the army of 24,000 infantry and 4,000 cavalry promised to the Emperor and Ferdinand.

'And yet the need was so near and urgent.' In 'Carniola,' wrote Caspar Hedio on May 11 to Duke Albert of Prussia, 'the Turks have either murdered or carried away 24,000 Austrian subjects.' 'The princes are wrangling and quarrelling at Spires,' said Melanchthon, 'as to whether they shall send help against the French, while the latter are burning and ravaging in German territory, close to the town.'[2]

In order to gain the Elector of Saxony the Emperor had made several concessions to him. He had ratified his marriage contract with Sibylla of Cleves, through whom on the extinction of the House of Cleves the duchy would revert to John Frederic, or to his descendants, and he had settled disputes about boundaries between him and King Ferdinand behind the backs of the Smalcalders; indeed, the marriage of the Saxon Electoral Prince with a daughter of Ferdinand was actually talked of in case, meanwhile, the vexed religious question could be brought to a Christian accommoda-

[1] This rejoinder was handed to them in writing and afterwards printed; it occurs in Hortleder, 1860 ff.

[2] *Corp. Reform.* v. 331–372.

tion. But in spite of all John Frederic stood to his demands. He and the Landgrave Philip took their departure from Spires without having given their consent to the recess.[1]

'The Princes of Saxony and Hesse,' so Carl van der Plassen, of Cologne, thought, 'knew through Granvell and other bribed imperial councillors that the less they gave in the more they would obtain in matters of religion, for the Emperor had set his mind determinately on the war against France, and in order to get help for this purpose he would be ready to concede all that was possible.'[2]

With the Electors of Brandenburg and of the Palatinate, who had offered themselves as mediators, the Emperor and his councillors had had lengthy negotiations, in the course of which Charles informed the Protestant members, on May 24, that 'he had gone so far in concessions for the maintenance of peace and tranquillity that the Catholics were in the highest measure annoyed with him; they (the Protestants) would find that as a mild and benevolent Emperor he had done his utmost for them, and they ought therefore to agree to the recess. If they did not he would be driven to think that it was their intention to counteract and upset all the transactions that had hitherto taken place and to hinder (to the detriment of the Emperor) a satisfactory issue of the Diet.'[3]

[1] See de Boor, p. 74 ff. Cf. Navagero's report on Philip and his preacher at Spires who held forth on polygamy, in Gachard, *Trois Années*, pp. 276-277.

[2] Letter from Spires of May 19, 1544, in the *Trierischen Sachen und Briefschaften*, fol. 216.

[3] Fuller details in Schmidt, *Geschichte der Deutschen*, xii. 333-329. See letter of Paulus Jovius to Cosmo I., June 7, 1544, in Desjardins, iii. 49.

Now at last, on June 10, 1544, the recess was actually passed. The Catholics at any rate had good reason for feeling aggrieved by it, for it amounted pretty nearly to a renunciation of the Catholic standpoint.[1]

It was settled that the right way for healing the fatal schism in the faith lay in ' a general Christian free council of the German nation.' As, however, it was uncertain whether and how soon it would be possible to arrange for such an assembly, another Diet should be held in the following autumn or winter, in the presence of the Emperor, and meanwhile a scheme of Christian reform should be drawn up by learned, good, honourable, and peace-loving men. To this Diet the Emperor promised to summon, without distinction, the notables of all parties, in order to consider in a Christian, amicable spirit ' what line was to be pursued with regard to the articles under dispute until such time as a General Council could be held in the Holy Empire of the German nation.'

Thus ' the complete settlement ' was not to be left only to a general free Christian council, but the matter was also to be taken into consideration by a National Assembly or a Diet, which was tantamount to giving silent recognition to what, just twenty years before, on July 15, 1524, the Emperor had most emphatically denied, viz. that a Diet had power also to settle disputes in questions of religion and the sacraments.

This recess afforded practical warrant for the assurance given by Granvell to the Protestants before the opening of the Diet that ' they meant to conclude an agreement, whether the Pope approved of it or not.'

[1] This opinion of Jansen is confirmed by Bezold, p. 747.

Concerning the Pope and his attitude towards the arrangement planned there was no word of mention in the recess. Neither was anything said with regard to restitution of episcopal jurisdiction.

'The Articles on religion, peace, and justice hang together and flow one out of the other,' said the Emperor in the recess, 'and the members who profess the Augsburg Confession have reserved these three articles to our discretion.' As a matter of fact no word concerning the three Articles had been inserted in the recess without consultation with the Protestant Estates.[1] 'Imperial plenary power,' alluded to by Charles, was not present in reality.

All legal proceedings and sentences of excommunication against the Protestants were suspended in this recess, and a remodelling of the Imperial Court was promised. New assessors were to be chosen at the next Diet, without distinction of religion, by all the members qualified to vote, and these assessors were to be sworn in either, according to the old usage, 'to God and the saints' or else 'to God and the Gospel.' Until the 'religious reconciliation' had been accomplished

[1] So says Schmidt, *Geschichte der Deutschen*, xii. 339, who used the *Acten des Reichstages* in the Vienna State Archives. According to de Boor, 77, who used the Acts of the Stuttgart archives, the Protestant party were all the more able to leave the drawing up of the decree to the Emperor 'because Charles V. informed them in secret that he should know how to alter the text secretly where desirable, in a manner favourable to the Protestants, and also to make supplementary changes afterwards, even if he were obliged at the time to lay it before the Catholics as unalterable. The Elector of Brandenburg then made himself personally answerable on this point. One thing, nevertheless, the Protestants stipulated for: they wished, on the publication of the recess, to add a written statement to the Acts in which it should be more fully explained how and in what sense they had accepted the recess.' A. de Boor, *Beiträge zur Geschichte des Speirer Reichstages vom Jahre* 1544, pp. 77-78, 94.

the Augsburg recess and others, as well as the legislative measures against the Augsburg Confessionists, so far as they concerned the religious question and their armistice, were also to be suspended.

On the part of the Catholics, the clergy especially, one might have expected decided opposition, at any rate against the right of a National Assemby, or a Diet, to settle questions of dogma and ecclesiastical jurisdiction. They contented themselves, however, with the protest that 'for manifold reasons already adduced' they could not constitute the Emperor arbiter of the three articles. Nevertheless, 'in order that peace, tranquillity, and unity should be maintained in the Empire,' they herewith declared in all submissiveness that whatever the Emperor, 'by right of his supreme authority, should propose relatively to themselves they would agree to, and would not in any way frustrate.' [1]

The Catholic notables had been for decades past 'so accustomed to giving in,' and were so disunited and wavering among themselves, that nothing manly could be expected from them. Respecting the ecclesiastical

*Reichsabschied*, § 82. See Duke William of Bavaria's Instructions to his delegates, of May 29, 1544, in v. Druffel, *Karl V. und die römische Curie*, Abth. i. 265–266. According to a report of Navagero of May 30, 1544, the Emperor had silenced the Catholic Estates by assuring them 'che riputava esser offesa da loro ogn' hora, che pensassero, che l' animo suo fosse per convocar alcuna dietta, nella quale si tratasse di religione senza la voluntà del pontifice et intervento di qualche suo legato.' Respecting the Ratisbon Declaration he had said 'che S. M. bavea nell' anima sua quella dichiarazione per nulla, *essendo stata in quel tempo ingannata*' (see above, extract from Charles's letter, p. 510, note 1), 'et che, quando si trattarà, se la dovesse valer o non valer, promettea *in verbo Caesaris* d' annullarla, ma che hora, sendo nel termine che è, non li pareva tempo di mover questa difficultà.' In Gachard, *Trois Années*, p. 286. Such a policy could not inspire confidence. See de Boor, 78 ff., who mentions that Henry of Brunswick, on May 26, entered a formal protest against the Emperor's concessions.

princes the papal legate, Morone, had already in 1540, with full knowledge, reported to Rome : ' The Bishops are rushing at full gallop to a compromise. They want to live in peace, if it is only for their own lifetime, and they are delighted at learning that the Lutherans no longer intend to confiscate Church property.' Morone also gave reasons for this—' the drunkenness and concubinage of so many of the bishops, their ignorance of theological matters, their want of respect for the Apostolic Chair, and their anxiety to liberate themselves from the yoke of obedience to the Pope.' [1]

In the recess at Spires the Emperor himself said he had agreed to more ' than he could reconcile to his conscience.' [2] The concessions made by him to the Protestants are only explicable by the situation in which he then stood towards the Pope.

In 1542 Paul III., with the approbation of the Catholic Estates of the Empire, had convened the General Council at Trent, a town half German and half Italian, but belonging to Germany and under the authority of Ferdinand. The Council was to meet on All Saints' Day ; but the war which Francis I., in conjunction with the Turks, had raised against the Emperor put a stop to it.

Paul III. had refused to comply with the Emperor's request that he would openly declare himself against France.[3] In the hope of reconciling the two monarchs, as he had done in 1538, he had invited them both to a

[1] See Morone's despatch in Laemmer, *Mon. Vat.* pp. 275-278. Compare Dittrich, *Gasparo Contarini*, p. 521.

[2] Conversation with the Elector of Saxony ; see Schmidt, *Geschichte der Deutschen*, xii. 333 ff.

[3] Despatch of August 28, 1542, in Weiss, ii. 633-644.

personal interview with him in Lombardy for the purpose of negotiating a peace, being prompted to this step, as he said, by the sense of the greatness of his office and the duty it laid on him of acting as father and arbiter. Francis I. had refused the invitation; an interview between the Pope and the Emperor at Busseto had remained without results for the cause of peace. That the Pope should have postponed the Council to a more favourable time, seeing that his legates had waited six months in vain at Trent for the arrival of the bishops, was quite comprehensible to the Emperor, but he was annoyed because Paul III. persisted in his neutrality towards France and even seemed to favour Francis I.[1] This resentment of the Emperor, by which Granvell and Naves had known how to profit, was the secret of the decisions in the religious question at the Diet of Spires.

Against these decisions the Pope, 'in discharge of the highest duty of his office,' entered a solemn protest in a brief addressed to Charles on August 24, 1544. He complained that the Emperor should have proposed a general or a national council in such a manner that the name of him who alone, by divine and human right, had the power to convene councils and settle religious matters was not even once mentioned. The Emperor had accorded to laymen, and even to leaders of heresies that had been condemned, the right of judgment in ecclesiastical affairs; he had restored to their former dignities clergymen who had been ejected by the Church and proscribed by his own orders, and had settled the strife respecting clerical property in

[1] See von Druffel, *Karl V. und die römische Curie*, part i. 150–159, and the report in Gachard, *Trois Années*, pp. 273–275.

an arbitrary fashion. In so doing he had usurped the office of high priest and violated the constitution of the Church. The Emperor's endeavours to abolish the abuses in the Church were laudable, but the Apostolic See had taken the best means in this direction in the projected General Council which had been repeatedly announced, and all Charles had to do was to support his Holiness with all his energies.

'We call on you and cry unto you and the other princes in the words of David: "Come, let us adore and fall down and weep before the Lord that made us," for in what better way could the Council begin? and in the words of Daniel: "We have sinned, we have committed iniquity, we have done wickedly and have revolted; and we have gone aside from Thy commandments and Thy judgments. We have not hearkened to Thy servants the prophets, that have spoken in Thy name to our kings, to our princes, to our fathers . . . O Lord, to us belongeth confusion of face, to our princes, and our fathers who have sinned, but with Thee is mercy and forgiveness."'

Paul III. implored the Emperor earnestly not to deal with religious questions at Diets, and to retract all that he had conceded to the Protestants in violation of justice and equity. In order that it might be possible for the Council to meet he begged him to make peace with France, or at least to conclude an armistice: the disputed questions could be better settled at a Council than by force of arms.[1]

[1] Pallavicino, lib. v. cap. 6. See also v. Druffel, *Karl V. und die römische Curie*, part i. 217–218.

When the Emperor received the papal brief[1] he had already concluded peace with Francis I.

With scanty support from the Empire, in spite of the succour promised in the Spires recess, he had entered France with his army and had scattered terror through the whole land.[2] Francis I. had given orders to put Montmartre in a state of defence in case of necessity. 'But during this campaign,' said Charles V. in his 'Memoirs,' 'the King's ministers did not cease negotiating daily and making peace proposals, and the Emperor, to whom peace was ever the most precious of things, had not rejected the proposals. When the ministers saw that the Emperor had advanced with his whole army towards Châlons they spoke still more urgently of peace.' Charles made this known to his ally, the King of England, who had just made his appearance on French territory with an army and had taken possession of Boulogne. 'Henry VIII.,' the Emperor goes on in his 'Memoirs,' 'having neither money nor troops for pressing on further into France, readily agreed to the Emperor's concluding peace.'[3]

At Crespy, near Laon, on September 18, 1544, Charles granted his inveterate enemy Francis I. an honourable peace.[4] In order to settle the dispute respecting Milan, Charles V.'s earlier proposals were agreed to, viz. that the Duke of Orleans, the French King's second son, should marry either the Emperor's eldest daughter, Maria, or a daughter of Ferdinand, and that in the first case he should receive the Nether-

[1] v. Druffel, *Karl V. u. die römische Curie*, part i. 215.

[2] v. Druffel, pp. 176–177; Gachard, *Trois Années*, p. 316.

[3] *Aufzeichnungen Carl's V.*, pp. 78–80. See also von Druffel, p. 178 ff.; Gachard, *Trois Années*, pp. 313–333.

[4] Egelhaaf, ii. 435 ff.

lands as a dower, in the second case Milan. The Emperor renounced Burgundy; the King gave back Savoy and waived his claims to Milan, Naples, Flanders, and Artois; both monarchs pledged themselves to co-operate in the war against the Turks and to lend each other mutual help 'towards the reunification' of religion.

But Francis I. had as little intention then as on former occasions of keeping his promises. Least of all did it enter into his calculations to assist in healing the anarchical condition of Germany by the promotion of religious unity. And though, in accordance with the agreement at Crespy, he intimated to Rome his wish for a speedy opening of the Council, he plotted secretly against its realisation.

To the Papal brief of August 24 the Emperor had only answered verbally that in due time he would make it plainly manifest that the incentive to the evils and misfortunes which had overwhelmed Christendom had not proceeded from him, but that, on the contrary, he had persistently endeavoured to avert them, in conformity with the duty he owed to his own imperial dignity and to the Apostolic See. If everybody, according to his rank and capacity, had acted similarly, the present calamities would not have occurred.[1] He solicited a speedy reopening of the Council.

The Pope, who had celebrated the peace of Crespy with thanksgiving festivals, revoked the suspension of the Council on November 19, 1544, and fixed its reopening for March 15, in the following year.

[1] Pallavicino, lib. v. cap. 6. See Maurenbrecher, *Karl V. u. die Protestanten*, p. 61, note 2, and v. Druffel, *Karl V. u. die römische Curie*, part i. 222–225.

In Rome, however, there was great anxiety on account of the Emperor, whose ambassador there had said to Cardinal Farnese that if his sovereign was victorious over France he would settle and put in order the affairs of Christendom generally and of the Roman See in particular.[1] The proposals made by Charles in regard to the Council awakened in France also the fear that he intended to rule over Church and State, to be Pope and Emperor in one.[2] Paul III. instructed his legates at Trent to open the Council—even if only a very small number of bishops had arrived—as soon as they learnt that at the Diet which was to be held at Worms on the strength of the Spires recess any resolutions damaging to the Catholic faith would again be entertained.[3]

[1] Ranke, iv. 229.

[2] Despatch of the English plenipotentiary from Calais, October 18 to 21, 1544, in the *State Papers*, x. 131, 140.

[3] Pallavicino, lib. v. cap. 10. See Bucholtz, v. 40.

## CHAPTER XXI

DIET OF WORMS—MUTUAL EMBITTERMENT OF THE MEMBERS —LUTHER'S LAST PAMPHLET AGAINST THE PAPACY, 1545—LUTHER'S DEATH, 1546

In January 1545 the Diet was opened at Worms by imperial commissioners. The Emperor, who was suffering from an attack of gout, was obliged to postpone his journey to Worms, and he authorised King Ferdinand to assume the leadership of affairs until he should be able to come in person.[1] In spite of his repeated invitations to all the Electors and Princes, Frederic of the Palatinate was the only Elector who attended; of the temporal princes not a single one appeared in person; of the spiritual princes only three bishops were present.

'How it was possible to deal effectually with religious questions, when only delegates were present, each one may judge for himself. It was also easy to see how little respect there was for his Imperial Majesty, for, in spite of his frequent earnest entreaties to the electors and princes, nearly all of them absented themselves from the

[1] Despatch of the Frankfort delegate, Ogier van Melem, January 25, 1545, in the *Reichstagsacten*, lvii. fol. 7–9, with the declaration of the imperial commissioner of January 21, fols. 120–122, with a letter of the Empress, fol. 150. Ogier van Melem, February 14, 1545, in the *Reichstagsacten*, lvii. fol. 18–21.

Diet, and no one could tell what they were secretly intriguing; for, notwithstanding the peace concluded by the Emperor, an ambassador of the French King had been in Saxony and Hesse, and what were the real intentions at the court of Munich was not known.'

The Bavarian Chancellor, Eck, had said to Gereon Sailer, the confidential friend of the Landgrave Philip, in the presence of Duke William (October 1544), that 'the Pope would certainly hold a council, but it was not to be expected that this meeting would lead to unity. Ways and means would be proposed which would be agreeable neither to the Lutherans nor yet to the Catholics. The Emperor would propose a form of creed, but only in order to set the Germans more than ever at variance, and to be able himself more speedily to accomplish their ruin. It would be better for the Catholics to go over to the Lutherans, and declare themselves all Lutherans, for otherwise it was to be feared that when the Protestants were oppressed the turn of the Catholics would come next. An alliance between Saxony, Hesse, and Bavaria was much to be desired and would be very useful.'[1] Eck kept back Duke William from attending the Diet, and the Duke blindly trusted his Chancellor. 'For myself I should be very glad,' wrote William's brother, Duke Louis, 'if Eck's "intrigues" were thoroughly brought to light; but my brother trusts him entirely and will not believe a word against him; whatever is said to him, he always thinks this man in the right.'[2]

On March 24 Ferdinand, in the name of the Emperor, announced to the assembly that, in com-

[1] See the protocol of this interview in Stumpf, pp. 262–264.
[2] Stumpf, p. 265.

pliance with the recess of Spires, 'the Emperor had instructed learned, honourable, and peace-loving persons to confer together concerning religious reform, and had received from them a written statement of their conclusions: he hoped other Estates had done the same. Whereas, however, these great and weighty matters required careful and thorough treatment, and the near approach of the opening of the Council, together with the advance of the Turks, left no time for mature deliberation, the Emperor considered it best to leave the business in abeyance for the present, and to wait and see whether the Council would really take place, and how the question of reform was viewed by it. Should the Council after all not be held, or should no measures be instituted respecting reform, the Emperor promised, before the close of the present Diet, to fix the date for another, at which the question should be settled with the advice and consent of the Estates.' With regard to the Turks, he begged that the Estates would at any rate decide on defensive measures and supply the necessary money.

The Catholics declared themselves ready to confer at once on the question of subsidies, but they thought it unnecessary to trouble the Emperor with any transactions respecting the religious controversy, seeing that the regular and most convenient way for settling the war was at hand in the Council which was now in session.

But the Protestants, to whom the Elector Palatine and the delegates of the Archbishop of Cologne had now joined themselves, answered that they could not regard the papal assembly at Trent in the light of a Council; they must be guaranteed a peace which

should be independent of such a Council and should last until the religious question had been settled in a Christian manner. 'If their wishes with regard to peace and to the Imperial Court were not fulfilled, they could consent to no subsidies for defence against the Turks; for they could not suffer their subjects to live in dread lest, when they had paid their contributions, they should have to see their wives and children expatriated or led into utter ruin on account of the religion which they held to be the only Christian one.' 'In fact the help against the Turks would be promised in order that they should not be driven away from their wives and children, and in order that they might be allowed to retain the true religion. What use was there in defending themselves against the Turks if afterwards they were exposed to equal danger among themselves?'

'The Protestants paint the devil on the wall,' replied the Catholics, 'for where in their territories or jurisdictions has any one lost a hair of his head? They have made themselves masters of churches and monasteries, and have driven into misery all who wished to abide by the old faith. They have invaded bishoprics and have been reckless of justice and peace; have constrained the poor inhabitants to embrace their religion, as, for instance, in the land of Brunswick, when they had no other right than the might of the sword. They trample under foot and oppress everything, and then complain of being themselves oppressed.' 'The Catholics would willingly grant peace if they could only have peace themselves. But how can they hope for it since the experience of long years shows that the Protestants invariably create Protestant parties in all

the Catholic sovereignties, support them with their own power, and aim at being sole lords and masters over the faith and the goods of the Church? They are insatiable in their demands and are for ever producing fresh cards to play, at every Diet putting forward fresh claims, which they insist on having conceded to them before they will take part in the transactions and subsidies.'[1]

At the meetings also of a committee, appointed 'for the framing of better police in the Empire,' violent reciprocal complaints arose. The Protestants brought charges against 'the temporal rule of the bishops, and their inordinate domestic expenditure, which was so exasperating to the people; against the open rascality of many clerical personages, and their gross neglect in teaching the word of God.' The Catholics replied that 'scandals and abuses innumerable certainly existed and were openly flaunted, and were growing worse and worse nowadays, because, owing to the perilous times and the teaching of novel sects and preachers, all good works were being abandoned, and unbelief and contempt for religion were becoming the custom among high and low. Many thousands of livings had fallen empty, and the people were without helm or rudder.' 'Where were the schools and the Church services? where the foundations and endowments for the poor, which had been so numerous twenty or thirty years ago?' 'What the Protestants call proclaiming the word of God is for the most part, as they themselves complain, mere slander and abuse of the Pope and the clergy and a general reviling of mankind.' The pulpit has 'degenerated into a chair of scurrility at which foreign nations are

[1] Frankfort *Reichstagsacten*, lviii. fols. 125–140. See Springer, pp. 22 ff.

shuddering.' 'All secular affairs and quarrels are brought to the pulpit.' Not many years before Luther had openly exhorted the preachers to 'denounce the Duke of Brunswick in their sermons as a servant of the devil; likewise also the Archbishop of Mayence and all followers of the Pope.'

In the debates concerning usury and the Jews the Catholic party spoke with decision against Luther's 'seditious pamphlets and books.'

'The prevalence of usury in German lands is a sure token of how Christian charity and righteousness are everywhere going to the ground: stringent measures should certainly be adopted against usurers, but it would not be acting in a Christian manner to do as Luther charges the preachers in a public pamphlet, and put them to death, and let the devil devour them soul and body, and let them be persecuted, tortured, expatriated, or beheaded.'[1] Luther's pamphlet against the Jews, lately published, 'is a rabid book, breathing hatred and venom, and written as it were in blood, and it makes the common people thirst for plunder and bloodshed.' 'In many places indeed it has been seen from experience how greatly the people revel in this book and how much innocent life is sacrificed in consequence of it.'[2]

[1] *Collected Works*, xxiii. 232–338. Luther's pamphlet *An die Pfarrer wider den Wucher zu predigen.*

[2] *Trierische Sachen und Briefschaften*, fols. 223–227. During the deliberations respecting the Jews 'the committee charged with evolving a good and effectual policy' passed the following resolution: 'Whereas through the usury of the Jews many citizens and subjects have been thrown into irremediable distress and ruin, and whereas by them the Turks are kept informed of all that concerns us Germans, and of our exact situation, the committee pray the Estates to consider whether it would not be better to drive the Jews altogether out of the Empire of the German

'For myself,' wrote the Frankfort delegate on April 20, 'when I contemplate the wretched state of public affairs and the bitterness of spirit and want of loyalty among the members of the Diet, I feel I would rather be dead than alive.'

The Protestants moved that the Emperor should not trouble himself about the Council convened by the Pope, but should, on his own authority, summon a council or national assembly in Germany. They even rejected the proposal of Ferdinand that they should at any rate postpone the religious question till the Emperor's arrival and take part in the debate on the subsidies without necessarily committing themselves in any way.

On April 24 the King and the imperial commissioners assured them 'with regard to the renewal and ratification of the article in the Spires recess relating to peace and an armistice' that 'they had no reason to entertain suspicion lest in future they should be molested or coerced in spite of the promised peace and armistice;' as for the Council of Trent, the King advised them to wait at any rate for its decisions before repudiating it formally. If it should not adopt a satisfactory course, 'so that no reconciliation could be effected, nor any reformation corresponding to justice, to reason, and to the general necessities be carried out,' the Emperor and the King would then hold further deliberations on these matters with the Estates of the Empire and take action thereon.[1]

The Protestants, however, persisted in their un-

nation than, for the sake of a little profit which they bring the civil authorities, to tolerate and bear with them any longer.' Frankfort *Reichstagsacten*, lviii. fol. 95.

[1] Schmidt, *Neuere Geschichte der Deutschen*, i. 10–13.

conditional rejection of the Council. 'If the King does not give in to their demands,' wrote the Frankfort delegate on April 29, 'it is to be feared that they will choose themselves some other convenient place to meet in and confer as to the best means for organising in self-defence.'

On May 16 the Emperor, who had 'forced himself to shake off his illness,' arrived at Worms. He was still inclined to conciliatory measures and was anxious for the personal attendance of the Protestant Princes, in order that 'the matter might be finally clenched.' In order to induce the Elector to undertake the journey to Worms he caused him to be assured through a special envoy that he would not allow the Pope to constitute himself supreme judge at the Council, and that he should be offended by any further refusal to come. The Elector answered that he would only come on condition of the Emperor's summoning a free Christian Council instead of the Council of Trent. Naves, in the name of the Emperor, assured the Protestants that they could bring forward their complaints and grievances at the Council; that the Emperor, at this assembly, would neither give up a hair's breadth of his own authority nor allow that of other Estates to be in the slightest degree infringed; but to prevent the Council's taking place was not in his power, seeing that he himself, at the oft-reiterated wish of all the Estates, had personally pleaded for it, and that the rest of the Powers had given their consent to it. They must not exact impossibilities of him, as they had partly done at the last Diet.[1]

[1] Springer, pp. 32–33; Seckendorf, iii. 544; Schmidt, *Neuere Geschichte der Deutschen*, i. 13–17; Ranke, iv. 259, and Winckelmann, iii. 602 ff.

All these declarations made no impression whatever on the Protestants. Their watchword now was that 'the time was come when the man of sin, the Antichrist, the Pope, who has established himself in the temple of God and exalted himself above God Himself and all that appertains to His worship, was to be hurled headlong down.' Therefore it behoved every one to work with all his might 'to confound this evil one and all his followers.'[1]

To this end John Sleidan, at one time the spy of the French, and afterwards the historian of the Smalcald League, published two letters, one to the Emperor, the other to the Estates, in which he urged forcible proceedings against Rome. The Pope, he declared, was the Antichrist and wanted to compass the downfall of Germany; he had ruined and corrupted everything, and there were more than sufficient aud justifiable grounds for taking back from him, by means of a righteous war, all that 'with criminal artifices' he had purloined from the nation. The Emperor was at present a mere vassal of the Pope, and he ought to emancipate himself from this tyranny and abjure the oath which he had sworn to Rome. 'When they cry out, "The Fathers, the Councils, the decretals, the canons, the old and venerable traditions, the Keys of St. Peter, the Holy See, and the Apostolic Church," this is only the voice of the siren at which your Majesty must stop his ears, as did Ulysses, so that he might not be allured by the seducers and baulked in his voyage.' The Popes were 'sedition-mongers and

[1] Despatch of the Elector of Saxony and the Landgrave of Hesse to the allies, Frankfort *Reichstagsacten*, lviii. fol. 58; letter of Melem, March 20, 1545, lvii. fol. 45.

mischievous members of the Christian body;' all that the Pope possessed he had acquired by begging and thieving; 'as a servant of the Church it behoved him to be content with food and raiment, and not to aspire to dominion over lands and people, castles and towns.' [1]

The Emperor was extremely angry at these letters, and still more so at a 'virulent lampoon' which Luther had published at the instigation of the Elector of Saxony and his Chancellor, Brück.

The latter had written to the Elector on January 20, 1545, that if the Council really resumed its sittings it would be necessary for Luther 'to put the axe in good earnest to the root of the tree, a work for which by the grace of God he had received higher qualifications than other men.' [2]

These 'higher qualifications' displayed their true

[1] Sleidan's *Reden*, 26, 39, 77–78, 124, 144, 214–224, 229. In the year 1544 Bucer recommended his friend Sleidan to the Landgrave of Hesse as historian of the Reformation. 'The wonderful things which God has wrought through your Princely Grace have been duly chronicled and written down.' With his commission Sleidan received from the Elector of Saxony and the Landgrave of Hesse the order 'not to make public his chronicle before it had been examined and approved either by themselves or their deputies.' Baumgarten, *Sleidan*, lxvi. fols. 113–114. On December 11, 1545, Sleidan wrote to the King of England: 'Principes ordinesque Protestantes confoederati, in ea conditione, qua me sibi devinxerunt, inter alia mihi mandarunt, ut totam historiam renovatae religionis . . . ordine conscribam ad hodiernum usque diem.' . . . 'Primum ejus historiae librum absolvi. Nihil autem evulgabitur a me, nisi de consensu et mandato Principum. Nam et hoc mihi ab illis injunctum est.' *State Papers*, x. 764, 765.

[2] Letters of the Elector and Brück in the *Corp. Reform.* v. 655, 662. See Schmidt, *Melanchthon*, 443. The immediate object of Luther's pamphlet was the refutation of the papal brief of August 24, 1544, to the Emperor, which, unknown to the Emperor, had fallen into the hands of the Protestants. According to Hans Jacob Fugger, a man intimately connected with the imperial court, the minister Granvell had conveyed this brief to Luther by the hands of a confidential agent. See von Druffel, *Karl V. u. die römische Curie*, part i. 231–233.

character in Luther's pamphlet 'Against the Pontificate at Rome, founded by the Devil' ('Wider das Papstthum zu Rom, vom Teufel gestift'). In it he proclaimed a challenge, and this time with the approval of the Elector, to a war in the name of religion, and the language in which his challenge was couched was akin to that which he had used in the first years of his crusade, when he had exhorted Emperor and kings to fight with all their weapons against the Pope and the cardinals and 'all the vermin of the Romish Sodom, and to wash their hands in the blood of this accursed crew.'

'The Popes,' he said now, 'are the descendants of the regicide Emperor Phocas, their founder. They are a set of desperate, thoroughgoing arch-villains, murderers, traitors, liars, and the most utterly debased and depraved beings on earth.' No Council could improve the Pope and his followers; 'for while they believe that there is no God, no hell, no life after this life, while they live and die like cows, pigs, or any other beasts, it is utterly ridiculous that they should set their seals and briefs to a reformation. Therefore it would be best for the Emperor and the Estates to leave these abominable, villainous scoundrels and the accursed devil's crew at Rome to go headlong to the devil; for there is no hope of amelioration; there is nothing to be done by Councils.' What steps ought to be taken, however, in order to annihilate the devil-founded papacy, Luther expounds as follows: 'Now go to, Emperor, King, princes, and lords, and whoever has limbs to fight with; may God withhold His favour from all hands that remain idle in this matter! And before all things let every fragment be taken away from the

Pope which he retains in his capacity of Pope—Rome, Romagna, Urbino, Bologna—for he got these into his possession with lying and with fraud. With fraud and lying, did I say? With rank blasphemy and idolatry he purloined them and subjugated them iniquitously, and all the reward the poor victims have got is to be dragged into everlasting hell-fire by his abominations, and the kingdom of Christ has been subversed, and therefore he is to be called an abomination of desolation. Therefore he should be seized, he (the Pope) and his cardinals and all the scoundrelly crew of his Holiness, and their tongues should be torn from their throats and nailed in a row on the gallows tree, in like manner as they affix their seals in a row to their bulls, though even this would be but slight punishment for all their blasphemy and idolatry. Afterwards let them hold a council, or whatever they please, on the gallows, or in hell with all the demons.' [1]

Language of this sort from Luther against the Pope and the Catholics excited veritable horror among many of his contemporaries. In Catholic writings and letters of the time we often find utterance of the same opinion that was expressed by Wilibald Pirkheimer, that Luther appeared either to be quite demented or else possessed by a demoniacal spirit, for otherwise he could

[1] *Collected Works*, xxvi. 108–228. See the passages quoted, pp. 124, 127, 155. The judgments of Protestant historians on this pamphlet vary greatly. Carl Adolph Menzel, ii. 401, says with regard to it: 'Luther delighted in scurrilous invectives for which there should have been no pen, certainly no printing press forthcoming. In the midst of these passionate outbursts there are evident signs of decay and exhaustion, which excite a feeling of pity that the diseased condition of the old man, worn out with spiritual and physical suffering of all sorts, should have goaded him to such an effort.' Köstlin, on the contrary, ii. 588, calls Luther's pamphlet 'his last great witness against the papacy.'

not have cursed and sworn in such a manner. Luther even carried his cursing into his prayers. He could not pray, he said, without cursing. 'Whereas I say, "Hallowed be Thy name," I am forced to add, "Cursed, damned, dishonoured be the name of the Pope." Whenever I say, "Thy kingdom come," I am constrained to say also, "Cursed, damned, destroyed be the papacy." Verily in this wise I pray day after day, unceasingly, with my lips and with my heart.'[1] Prayers such as these could not do any harm to the Catholics. But it was most disastrous that Luther should thus publicly rouse the passions of the multitude and sectarian hatred, and actually incite princes and people to deeds of murder.

He himself, however, considered this pamphlet 'pious and useful.' He wrote to a friend on April 14, 1545, that the Elector of Saxony had been so much pleased with it that he had bought copies to the value of 20 florins.[2] During the Diet at Worms, to the disgust of the Catholics, the Elector caused these copies to be distributed among the members,[3] thus showing that he approved of their contents. The force of the pamphlet was augmented by a picture of the Pope on his throne, in all the splendour of pontifical array, but with asses' ears and surrounded by demons, who from above were crowning him with a chamber pot and from below were dragging him down into hell. Influenced by the written remonstrance of one of the Emperor's ministers, the Saxon delegates themselves urged on the Elector that at least the frontispiece

[1] *Collected Works*, xxv. 107–108.

[2] To Amsdorf, de Wette, v. 727.

[3] Seckendorf, iii. 556; Schmidt, *Melanchthon*, pp. 443–444.

should be suppressed. John Frederic, however, refused their request. Luther, he said, 'was endowed with a very special gift of the Spirit. Moreover we are ourselves of opinion that the Pope deserves not only all that has been said of him but a great deal more besides.' [1]

Luther had indeed intended to write a great deal more against the Pope, but the pains he suffered from stone prevented his indulging any further in the fury of the hatred which was consuming him. He was obliged to content himself with wishing that the Pope and the cardinals might suffer as much pain as he was tortured with from his disease.[2]

The last days of his life were crowded with 'indescribable torments and anxieties.' The future of Germany seemed to him utterly hopeless. The outward,

[1] Seckendorf, iii. 556. Still more vile and degraded are several of the woodcuts executed by the caricaturist Lucas Cranach for the purpose of reviling the Pope at Luther's instigation and accompanied with explanatory phrases devised by Luther. On one of these leaflets the Pope is seen in full pontificals, riding on a hog and blessing with his right hand a reeking heap of dung, towards which the hog stretches forth his snout. Beneath appears Luther's *envoi*:

'*Saw, du musst dich lassen reiten*
*Und wohl sporen zu beiden Seiten;*
*Du wilt han ein Concilium,*
*Ja dafür hab dir mein Merdrum.*'

Another cut in which the Pope and three cardinals are represented as chained to the gallows by a hangman, while four devils fly about them, carrying off their souls, is inscribed by Luther, 'Worthy Reward of the Most Satanic Pope and his Cardinals.' See Schuchardt, i. 176 and ii. 248–255. In Schuchardt's book these vile productions, with which Cranach dishonoured art, are given under the description of 'Holy and Religious Representations.'

[2] De Wette, v. 743. On the very evening before his death, writes the physician Ratzeberger, Luther wrote the following line of verse in chalk on the wall: 'Pestis eram vivus, moriens ero mors tua, papa.' Ratzeberger, p. 138.

material victories and conquests of the new Gospel he had preached increased and multiplied from year to year; one prince after another, one town council after another, came round to the doctrine of justification by faith alone, confiscated churches and monasteries, denounced 'the venomous papacy and the old doctrines as idolatry and the dregs of all wickedness.' But Luther's spirit was a prey to the deepest distress by reason of the depraved inward condition of the new Church organisation, the discord among the preachers, the tyranny of the secular officials, the growing contempt for the clerical body, the subservience of the latter to the civil authorities. He saw with consternation the daily increasing fatal consequences of the overthrow of the old Church discipline, the rupture of the organic bonds of the Church, the deterioration of moral and social life, the spread of all manner of vice in his own immediate neighbourhood, in and around Wittenberg. 'We dwell in Sodom and Babylon,' he wrote to Prince George of Anhalt; 'things get worse and worse every day.' [1]

In the whole district of Wittenberg, which comprised two towns and fifteen villages, with resident clergymen, he said he knew only 'one peasant and no more who exhorted his household to read the Word of God and the Catechism; all the others were going the straight way to the devil.' 'It is the general complaint, and, alas! all too true, that the young people of the present day are utterly dissolute and disorderly, and will not let themselves be taught any more; they do not even know what God's Word is, or baptism, or the Lord's Supper. Sin of all sorts is becoming rampant, because

[1] De Wette, v. 722.

the world, of late, has grown so insolent and has brought down on itself the wrath of God.' 'Who among us,' he exclaimed in despair, 'would have thought of preaching as we have done, could we have foreseen how much misery, corruption, scandal, blasphemy, ingratitude, and wickedness would have resulted from it?' 'Only see how the nobles, the burghers, and the peasants are trampling religion under foot, how they are driving the preachers away by sheer starvation!'[1] If Wittenberg seemed to him as a new Sodom, the town of Leipzig, a hotbed of Lutheranism, was 'worse even than any Sodom.' 'They are bent on being damned,' he wrote in January 1546; 'well then, let them have their wish.'[2]

In Wittenberg immorality and irreligiousness gained the upper hand to such an extent that Luther felt compelled to leave the town. Towards the end of July he told his wife that she must sell everything, for he did not mean to come back. He would rather live like a vagrant and beg his bread from day to day than have his poor last days 'tortured and disturbed by the disorderly scenes at Wittenberg.' At the wish of the Elector, however, he returned; but in December he recommenced his threats of leaving for good.

He had fallen out with his colleagues and former brothers in arms, for they would not all of them accept his statements and interpretations of Scripture unreservedly. The least contradiction made him frantic. 'Scarcely any of us,' wrote Cruciger to Veit Dietrich, 'can avoid provoking Luther's wrath and getting a

[1] Lauterbach's *Tagebuch*, pp. 113, 114, 135. See also Döllinger's *Reformation*, i. 293 ff.

[2] De Wette, v. 773.

public thrashing from him.' A complete rupture would have been inevitable, had not Melanchthon with his tact and moderation managed to keep them together. Still there was always danger of a sudden fatal explosion.[1] Melanchthon deplored Luther's passionate vehemence, his obstinacy, and his love of dominion; he compared him to the demagogue Cleon; he was obliged to submit to a servile bondage under him.[2] Luther suspected nearly all his friends of departure from the purity of his doctrine. 'When I am dead,' he said, 'none of the Wittenberg theologians will remain steadfast in the truth.' Shortly before his end he said in utter despair: 'If I were to live for another hundred years, and had not only, by the grace of God, assuaged all past and present storm winds and riots, but could also lay all that were to come, I see plainly that even then no peace would be secured to our posterity, for the devil lives and reigns.'[3]

As for himself, 'the devil' left him 'not a single day of rest.' The nocturnal fights which he had to wage with him 'exhausted and shattered his bodily frame to such an extent that he could scarcely draw his breath,' and he would say to himself: 'Am I then the only one who is so sad at heart and must be thus cruelly assaulted?' 'If any one else had been forced to encounter such attacks he would long since have been dead. I have had no greater or severer subject of assault than my preaching, when the thought arose in me: Thou art the sole author of all this movement.'

[1] *Corp. Reform.* v. 314.

[2] *Ibid.* iii. 594 and vi. 879. Such was the language of Melanchthon, who was described by Luther as 'homo tenerrimus et patheticissimus.' De Wette, iii. 494.

[3] Keil, pp. 243, 252.

His incessant anguish of mind, his doubts and qualms of conscience with regard to the correctness of his course of action, he ascribed to the temptations and suggestions of the evil spirit. Even the protests of reason seemed to him to proceed from Satanic influence, and were only to be overcome by making faith wring the neck of that wild beast, reason.[1] In his very last sermon, delivered at Wittenberg on January 17, 1546, he warned his hearers in the liveliest terms against 'Reason.' 'Usury, drunkenness, adultery, murder,' he said, 'these crimes are self-evident, and the world knows they are sinful; but that bride of the devil, "Reason," stalks abroad, the fair courtesan, and wishes to be considered wise, and thinks that whatever she says comes from the Holy Ghost. She is the most dangerous harlot the devil has.'[2]

[1] *Collected Works*, lix. 296, lx. 6, 45–46, 108–109, 111, and lxii. 16. 'For the consolation of others,' says his disciple Mathesius, p. 183, 'he thought well to depict his mortal combats with hell and his internal anguish of soul; but the world has not shown itself worthy of his confidence.' 'Ofttimes it seemed to him that the devil was torturing his inmost being with a devouring pain which drew the very marrow out of his bones and consumed the strength of his whole body.' 'The evil spirit,' he said, 'has even sought to frighten me by a visible apparition. Many a night while I was in my Patmos have I heard him raise a disturbance. At Coburg I saw him take the form of a star, and in my garden he appeared as a black wild boar.' 'Once as I was standing with the Doctor in his garden,' says this panegyrist of Luther, p. 128, 'he exclaimed that the conduct of his own people was such that he would be constrained to ask the Elector to build a dungeon for the parsons, into which to thrust this wild and dissolute rabble.' 'Satan, moreover, sowed great scandals among the protectors and followers of the new doctrine. The populace became uncouth and insolent, and began to despise and revile the ministers of the Church. In very truth the soul of the pious old master suffered excruciating torments day after day; for he was compelled to see and hear unrighteous deeds almost as numerous as the pious Lot witnessed in Sodom.'

[2] *Collected Works*, xvi. 142–148.

On that same day he wrote to a friend that he was 'old, decrepit, inert, weary, cold, with but one good eye,' and still they left him no repose.[1]

A very disagreeable task was now imposed upon him. For a long time past he had been grievously distressed by the condition of things in his native county of Mansfeld, where, 'to the disgrace of the Gospel, the people had gradually sunk into all sorts of vice.' 'Terrible and abominable deeds were committed there among the people.' The Counts of Mansfeld, as a consequence of their profligate and reckless conduct, had brought ruin upon themselves, and, owing to dissensions of all kinds regarding their respective rights, were engaged in a bitter strife, which Luther, it was thought, might smooth over. With this end in view he journeyed to Eisleben. Passing through Halle on the way, he was roused to anger by the sight of the monks, who still made their appearance there in their religious habit. To Luther, who had broken his vows and forsaken his monastery, the monk's cowl was 'a cursed and abominable thing.' Accordingly on January 25 he addressed the following reproach to the town council from the pulpit: 'I am beyond measure astonished that you gentlemen at Halle should still tolerate among you these rascals, these mean lousy monks, when you know full well that even at this very day they do not desist from reviling and blaspheming God and his sacred word. The insolent villains have no delight but in the tomfooleries and monkey tricks of the accursed Cardinal Albert of Brandenburg, which we know now are nothing but blasphemy and idolatry. You, gentlemen, ought to pluck up courage and drive

[1] De Wette, v. 778.

these senseless wretched monks out of the town.'[1] Further on the Jews awaken his indignation. In a former pamphlet he had insisted that the Jewish synagogues or schools ought to be burnt down with brimstone and pitch and fire of hell, that the houses of the Jews should be pulled down, and all their treasures and money taken from them; and if this did not mend matters they should be driven like mad dogs from the land. 'This ought to be done for the honour of our Lord and of Christianity, so that God may see that we are really Christians.' He had ended his exhortation with the words: 'I have done my part; let others see to it that they do theirs.'[2] Now he wanted to attack the Jews from the pulpit. 'When once the quarrels which he had to deal with were settled he must,' so he wrote to his wife from Eisleben at the beginning of February, 'turn his mind to driving out the Jews.' 'Count Albert is hostile to them and has already given them up, but nobody takes any active measures against them.' 'For the rest,' he writes, 'we eat and drink heartily, and might have pleasant days were it not for this disagreeable business.' 'I should think that hell and the whole universe must now be empty of all demons, who perhaps have all collected together here in Eisleben on account of me, so tough and unmanageable is this business. The Jews also swarm here, fifty to a house.'[3] He set to work to prepare a sermon against the papacy, and also 'a warning against the Jews.' They must be turned out of the country, he said, if they would not be baptised.

[1] *Collected Works*, xvi. 126–127.
[2] *Ibid.*, xxxii. 217–233, 252, 259.
[3] De Wette, v. 784–787.

But the hoped-for 'further work against the Pope and the Jews' was denied him. Exhausted in mind and body, he died in the night of February 18, 1546.[1]

[1] In many churches his portrait was hung up with the inscription, 'Divus et sanctus Doctor M. Lutherus.' Treatises were published with titles such as 'Luther, a Prophet,' with collections of his prophecies; 'Luther, the second Samuel;' 'Luther, the third Elias;' 'Luther, a worker of miracles,' and so forth. See Goebel, *Die religiösen Eigenthümlichkeiten*, p. 137; Gillet, i. 45. All sorts of medals were struck in honour of Luther, one of them with the inscription, 'Propheta Germaniæ, sanctus Domini;' on another Luther is depicted trampling under foot a triple cross, a papal crown, and a bishop's crozier. See Junker, pp. 149, 211-213, 221. It is remarkable that in the midst of all this homage his widow and children were left in misery and want, and no one troubled himself about them. Catharine von Bora appealed for alms to the King of Denmark. He was the only sovereign, she wrote to him in October 1550, to whom she dared apply for help. She received no answer. In January 1552 she renewed her request, with the assurance that her late husband had always looked upon the King 'as a Christian monarch.' 'Imperative need alone,' she said, 'drives me to petition your Majesty humbly in the hope that your Majesty will benevolently listen to the prayer of a poor widow, abandoned by every one.' At last she received a present of fifty thalers; but it was of little profit to her. An infectious disease having broken out at Wittenberg, she fled with her three children, intending to go to Torgau. On the way the horses took fright; she jumped out of the coach and fell into a ditch where the water had frozen. On December 20, 1552, she died of consumption. In January 1553 her eldest son, John, appealed again to the King of Denmark for help for himself, his brother, and sister. 'In Germany,' he wrote, 'they had but few friends; he hoped the King would be merciful to them, as very few in their own country took any interest in them.' See Hofmann, *Catharina von Bora*, pp. 126–138. In June 1555 the King sent forty thalers to Luther's son. Kolbe, p. 443, note 1. Dr. Pastor adds the following note to the seventeenth edition: 'The suspicion advanced lately by Dr. Majunke (*Luther's Lebenende*, Mayence, 1890) that Luther ended his life by suicide has been shown to be unfounded, being clearly opposed alike to Protestant and Catholic sources of information. See Kolde, *Luther's Selbstmord*, Erlangen, 1890; Kawerau, *Luther's Lebenende*, Barmen, 1890; also the Catholic Dr. Paulus in the *Historisches Jahrbuch*, xv. 811 *sq.* and xvi. 781 *sq.*; furthermore Paulus, *Luther's Lebenende und der Eislebener Apotheker Johann Landau*, Mayence, 1896, and Paulus, *Lebenende: eine kritische Untersuchung*, Freiburg, 1898. Although Majunke still adheres to his opinion, as his pamphlet against Paulus testifies, nevertheless the controversy has been definitely decided in the estimation of all

Justus Jonas and Michael Coelius preached his funeral orations.

The latter told his hearers that Luther had been a great prophet, and had 'filled the same office in the Church which in their own days Elijah and Jeremiah, John the Baptist, or the Apostles had filled.' Now he was dead, but they must not fail to assume, like Elisha, the mantle of Elijah—that is to say, secure Luther's books, which he wrote by the inspiration of God, and

other historians by the discovery that the narrative of the alleged *valet de chambre*, upon which the story of the suicide of Luther is based, is a manifest forgery. Dr. Paulus in his latest work on the subject goes one step further and shows that it is most probable that although Luther's death was rather sudden and unexpected yet he was not found dead in his bed, but departed tranquilly about three o'clock in the morning of February 18, 1546, after some prayers and in the presence of several persons. This is maintained by Paulus against Wedewer's assertion in the *Literarische Rundschau* for 1892 that Luther was discovered dead in his bed from a stroke of apoplexy. My esteemed colleague Professor Schlecht remarks *à propos* in the *Histor. Jahrbuch*, xix. 639: "Of decisive moment is the report of the 'Mansfeld burgher,' whom Paulus has already identified with the Eisleben apothecary John Landau. Since this man was a physician by profession, and made a personal inspection of the remains, it would be of interest to consult some expert with regard to the *cause* of death." Acting upon this suggestion, I had recourse to my valued friend Arminius Tschermak, M.D., who has very courteously given me the following opinion on the case: "Luther's constitution, the details of his decease communicated by eye-witnesses, finally the symptoms of the disease, however meagrely described, quite sufficiently sustain the opinion of the single physician present (see Paulus, p. 70) that Luther died in consequence of an apoplectic stroke. Luther was obviously (owing to his pathological condition) predisposed to apoplexy. In this connection it would be of importance to ascertain whether or not Luther had suffered from frequent fainting spells, a circumstance which Luther specialists could easily discover. The case mentioned by Paulus (p. 71) is not to the point, for the faint might readily be caused by nephritic colic. The sudden development of symptoms of disease (for Luther had been in lively spirits during supper and had set the whole company laughing by his merry anecdotes), the temporary apparent accesses of unconsciousness, and the rapid *dénouement* all point to apoplexy. The contortion of the features and the turning black of one half of the body (congestion of the veins) are clear indications of a partial hæmorrhage on the brain." '

left behind him in order that through them his spirit might be transmitted to us.'

'In language and preaching similar to the utterances of Noah,' said Justus Jonas in his turn, 'Luther had often in the last years of his life lamented that "in the full clear light of the Gospel"—that is to say, of the new doctrines, proclaimed by Luther, of justification by faith alone and of the non-freedom of the human will—"the world had come to such a pass that no mere ordinary transgressions and shortcomings were the rule among most people, but vices of the grossest nature; none now acknowledged themselves to be sinners, none would humble themselves before God." Not till the Day of Judgment would Luther make known to us "what glorious revelations he received when he first began to preach the Gospel," and then how shall we be lost in wonder and amazement; but of these things no Satanic monk or other stiff-necked papist knows even a single word.' For 'the Pope, the bishops and cardinals,' the preacher went on to inform the mourners, 'call us Germans and idiots and foolish people because we preach, believe, and are convinced that we shall rise with our bodies at the Day of Judgment and behold God with our eyes.' All Catholics, indeed, were deniers of the great mystery of the resurrection of the dead, and therefore 'we must flee from the papists and shun them like the devil himself; for an obdurate, hardened papist is the very devil himself.' But there would be an end of them all, as Luther had often predicted: 'after his death all papists and monks would vanish from the earth and perish.' Great things were in store for us. The death of Luther, like the death of all prophets, would have special power and efficacy against the 'god-

less, stiff-necked, blinded papists;' before two years were over they would all be overtaken by a 'terrible chastisement.'[1]

[1] 'Two consoling sermons over the dead body of Dr. Martinus Luther, at Eisleben, February 19 and 20, preached by Doctor Justus Jonas and M. Michael Celius, Anno 1546. Printed at Wittenberg by George Rhaw.' Master John Stigelius celebrated 'the holy theologian' Luther in Latin and in German verse. When all the world was sunk in error, God's grace forgotten far and wide, and faith eclipsed and robbed of its power by the darkness of 'good works,'

'Then God the Father did appoint
Thee, Luther, His high priest to be,
Thee with His Spirit did anoint,
And with a trumpet furnished thee.
Gave thee the tongue of holy Paul,
That thou might'st preach the truth to all.
And thou wast such a valiant priest,
Thou didst haul down that haughty beast,
And all the wicked crew who sold
High heaven for unlawful gold.'

All human teaching and inventions had been confounded by Luther's true doctrine, and Luther had adorned this truth by a noble life of spotless virtue, and was now living in the enjoyment of celestial bliss.

'And now from Paradise thou seest
That shameful and accursed beast,
That damned Rome, that robbed and fleeced
Mankind of body, soul, and goods.
Thou seest too the anguish dire
Prepared for Rome in hell's hot fire.'

'De viro sancto Martino Luthero purae doctrinae Evangelij instauratore, ex hac mortali vita ad aeternam Dei consuetudinem evocato. Auff das christliche Absterben des heiligen Theologen Doctoris Martini Lutheri. By M. Johann Stigelius.' Without mention of place. 1546.

# BOOK III

## CHAPTER I

### ORIGIN AND CHARACTER OF THE SMALCALDIC WAR

At the time of the negotiations at Worms 'the terrible and universal embitterment of spirits,' the growing religious animosity, and the continued oppression of the Catholics by the Protestant towns and princes made it clear to everybody that between the Emperor and the Smalcald confederates it must in the end come to a decision by the sword. Otherwise the whole ancient order in the Empire would inevitably be overthrown, and the Emperor would lose all his power and prestige.' So wrote Dr. Carl van der Plassen, of Cologne, from Worms on May 29, 1545.

'If we wish to discover the causes of the war which is undoubtedly at hand,' he wrote later on, 'we must bear in mind all that has happened in Germany since the subjugation of the peasants by the princes and municipal authorities, all the countless violations of divine and human law, of the public peace, of property, civic rights, conscience, and honour. Let us but reckon up the number of churches and monasteries which have been destroyed and pillaged during these

twenty years, and all the accompanying crime and iniquity. And to what purposes have these stolen goods been applied ? What has become of all the Church property, all the treasures ? There is scarcely a single land in the Empire in which the taxes and imposts have not been trebled or quadrupled. And not only have the people been oppressed by all manner of taxes, but a new religion has been forced upon them by might and by stratagem, and they have been forbidden under threat of punishment to carry on the old service of God, with its rites and Christian usages. Is this the vaunted freedom of the Gospel, to persecute and coerce others, to imprison them, or drive them into exile ? Everything that was formerly reverenced has now fallen into contempt, with the result that right and property are no longer respected ; the endless disturbances in matters of religion have upset the whole national equilibrium ; discipline, loyalty, and respectability have vanished and vices of the most abominable kind increase and multiply, to the horror of all rulers and all well-disposed persons. What hatred and schism do we not see everywhere ! what misery resulting from want of clergy and schools, even in the lands which have remained Catholic ! Princes and towns, making their boast of the Gospel, have not been satisfied with introducing the new Church system into their own territories, but they invaded Catholic bishoprics and secular dominions and turned everything topsy-turvy in order to set up their own institutions. The Smalcald confederates extend their operations from year to year and grow more and more audacious. At this moment they are actually preaching a war of annihilation against the Pope and his adherents. There will be no checking them if the sword of the

Emperor is not used to restrain them, as it ought to have done long ago.'[1]

'The Protestants,' writes another Catholic contemporary, 'began with the poor monks and nuns and unfortunate village clergy, and waited to see if any notice was taken of their doings. None was taken. Then when they found it so easy to unfasten the shoe-strap they proceeded to remove the whole shoe and attacked the large Abbeys. Then, too, there was not much to fear, for those to whom the Mass was interdicted did not after all care much about it, and liked much better to hear themselves addressed as 'gracious Lord' than as 'your Reverence.' The next step was to assail the bishops. Then there was a great outcry. As soon as it was realised that the oppressors were tired of ox flesh and wanted venison—that is to say, were not satisfied with despoiling the poor, but intended to plunder the rich also—then there arose clamour and lamentation and a cry for 'justice, justice,' and a prating of peace and restitution, and appeals to Diets and the Imperial Court. But lo, the preachers were installed there, and they taught that each prince in his own territory, each burgomaster in his own city, was himself emperor, king, pope, and bishop. And in order that their artifice may not be seen through, they write that the Emperor and his Royal Majesty are also not bound to keep the oath they have sworn to the Pope. If any attempt is made to enforce justice against them, they say they will submit to no judge who is not of their own persuasion. 'The Protestants are not content with plundering the bishops and prelates, but they extend their aggression to the secular princes of

[1] 'Trierische Sachen und Briefschaften,' fols. 234, 239.

the Empire, drive them out of their dominions, appropriate their territories, and then denounce them as incendiaries and murderers. Item, if the bishop of a diocese expires, even if it be a prince of the Empire, they let the chapter murmur and the Pope confirm the election and the Emperor confer the regalia ;[1] but meanwhile they take possession of land and people, set up a Nicolaus[2] as bishop, and snap their fingers at the Emperor.'

'Thus religion is perverted, all obedience to the Emperor destroyed, justice set aside, and insolence of all sorts everywhere encouraged.' The Emperor had now 'tried many and various means for putting a stop to this insubordination,' but all measures had been fruitless and he must now 'wield in earnest the sword that God had put into his hands to bring back his and our fatherland to peace, order, and unity.'[3]

'Things had come to such a pass in Germany,' said the imperial Chancellor, Granvell, to the papal legate Cardinal Alexander Farnese, 'that neither the Emperor's nor the Pope's name any longer carried any weight ; indeed it was to be feared that the Protestants looked upon the opening of the Council as a signal for war, and that they would at once begin to equip themselves not merely for the sake of being ready for any emergency, but rather in order to suppress the

[1] As happened in the case of Bishop Julius Pflug in the bishopric of Naumburg.

[2] Amsdorf.

[3] Hortleber, *Rechtmässigkeit*, book iii. 468–472. George Schulten wrote from Nuremberg to Duke Albert of Prussia on June 10, 1545, that a barefoot friar had appealed as follows to the Emperor in a sermon : 'Strike them, Emperor, strike them down ! Have no pity on the blood of the Lutherans ! ' Springer, p. 34. See also von Drussel's *Karl V. und die römische Curie*, part ii. p. 18.

Catholics and to make an attack on Italy, the object of their bitter hatred.' [1]

But the Emperor was already considering on his part whether it might not be possible to ' put down the great arrogance and obstinacy ' of the Protestants by recourse to the sword.

After the success against the Duke of Cleves, he says in his ' Memoirs,' it no longer seemed impossible to him ' to restrain such presumption by force : indeed it appeared quite an easy task if undertaken under favourable circumstances and with adequate means.' With the concurrence of King Ferdinand, Charles notified to the legate Farnese at the Diet at Worms that ' if the Pope would lend them the support of his spiritual and temporal power they were now prepared to resort to forcible measures for meeting the obstinate and shameless insolence and defiance of the Protestants : for all gentle and peaceable measures had been proved to be useless.' ' Cardinal Farnese,' the Emperor goes on in his ' Memoirs,' ' was so terrified by this announcement that although he had previously declared that he was invested with plenary power to negotiate in all matters relating to the relief of the existing evils he now refused to proceed with the settlement of the question.' [2]

Farnese suspected at first that the Emperor was simply desirous of getting money from the Pope, and that then he would make concessions to the Pro-

[1] Schmidt, *Neuere Geschichte der Deutschen*, i. 23–24 ; von Druffel, p. 21.

[2] *Memoirs of Charles V.*, pp. 87–90. See von Druffel, pp. 22–24 (and Le Mang, *Die Darstellung des schmalkaldischen Krieges in den Denkwürdigkeiten Kaiser Karl's V. : eine quellenkritische Untersuchung*, I. Dissertation, Jena, 1890).

testants in order to obtain subsidies from them for the Turkish war.[1] Later, however, be became convinced that Charles was in earnest with regard to war against the Protestants. Farnese now returned to Rome, where he arrived on June 8.[2]

In June 1545 the Pope promised Charles 'very substantial pecuniary help and a considerable body of troops' for the war against the Protestants.[3] But the Emperor began to reconsider matters, and ended by postponing the whole business, and on August 4 he confirmed a recess which 'reflected entirely the character of the Spires recess,' and in which, without any allusion to the Tridentine Council, a fresh Diet at Ratisbon was announced, out of the fulness of imperial power, for the discussion and settlement of religious affairs. Before the opening of this Diet a religious conference was to be held, for which the Emperor and the Protestant Estates were to nominate an equal number of debaters. The delegates of both parties were to aim at genuine Christian union and reform of the Church, and not to let themselves be hindered or led astray by any considerations whatever. The Conference was to begin at the end of November, the Diet on January 6, 1546.

During the protracted negotiations at Worms, and after the close of the Diet also, the Catholic cause sustained one rebuff after another.

[1] Farnese's letter of May 22, 1545, in von Druffel's *Karl V. und die römische Curie*, part ii. p. 57. See Pallavicino, book v. chap. xii.

[2] *Nuntiaturberichte*, 1, 8, 37.

[3] Granvell to Queen Maria, July 8, 1545, in Gachard's *Trois Années*, pp. 442–443, and the letters in Maurenbrecher's *Karl V. und die deutschen Protestanten*, Appendix, pp. 23–24. See von Druffel, pp. 24–25, and *Nuntiaturberichte*, loc. cit.

Duke Maurice had promised his brother Augustus, who claimed his own share of the paternal inheritance, to do all in his power to procure for him the archbishopric of Magdeburg and the bishoprics of Halberstadt and Merseburg. On May 12, 1544, Augustus had been appointed administrator of Merseburg, and the Emperor had confirmed the appointment on condition that Maurice would not introduce any religious innovations in the diocese.[1] Maurice, however, in the family compact drawn up with his brother had already made stipulations [2] for 'evangelising' the bishopric, in which intention he was encouraged by his father-in-law, Philip of Hesse.[3]

On May 21, 1545, during the sitting of the Diet at Worms, the Emperor had ratified the contract, but he had been duped with a spurious copy in which Maurice had not only left out all that related to Magdeburg and Halberstadt, but also all allusions even to the stipulations about Merseburg.[4] Duke Augustus, after entering into possession of the bishopric, had appointed the Protestant Prince George of Anhalt as his coadjutor in ecclesiastical affairs, and the latter, two days before the passing of the Worms recess (August 2), had been consecrated 'evangelical bishop.' [5]

In the diocese of Meissen also Maurice made provision for 'continuous further extension' of the 'divine

[1] Seckendorf, iii. 497. [2] See above, p. 194.

[3] 'ne occasionem rei ad religionis commodum gerendae amitteret.' Seckendorf, iii. 497.

[4] Wenck, *Moritz und August*, pp. 316–391.

[5] Fraustadt, pp. 153–181. Through Luther, wrote George on August 7, 1545, 'sacro ordinationis mysterio per impositionem manuum initiati sumus.' *Corp. Reform.* v. 830. Horawitz, C. Bruschuis, pp. 103–104, note 8. Luther presented the Prince with a 'certificate of ordination' as bishop of Merseburg.

word.' The bishop's sphere of activity was already limited to his residential town of Stolpen and the still entirely Catholic district of Lausitz. But here too he was obliged to give in, for it was intolerable to Duke Maurice that his subjects, when they visited this district, should receive the Sacrament in one kind only; he informed the bishop that 'he should not allow him to obstruct the free course of the *Gospel*.'[1]

'Just as if Germany had gone back to the palmiest days of club law (*Faustrecht*[2]), there was no justice to be had anywhere, no respect for imperial commands or for the laws of the realm.'

With regard to the duchy of Brunswick Charles had agreed with the Smalcald confederates at the Diet at Worms that the conquered land should be placed under imperial sequestration, that the Duke should be commanded, under penalty for violation of the *Landfriede*, to remain tranquil until the final settlement, and that until such settlement no alteration should be made in the religion of the protestantised country. 'The whole terms of the agreement were unpalatable to the Duke, and the last clause of it to all the Catholics.' After the example of the Smalcald princes Henry determined to resort to 'self-help.' He raised a considerable army, marched into his duchy in September 1545, and made himself master of the largest part of it. But his opponents mustered in such force that it was thought by the Protestant party that the 'sacerdotal war' (*Pfaffenkrieg*) which had been threatening for twenty years was now at hand.[3] Henry soon found himself

[1] Protocol of Jan. 26, 1545, in Gersdorf, pp. 382–383.

[2] 'Right of fists.'

[3] Luther's letter of Oct. 21, 1545, in De Wette, v. 764.

face to face with 'overpowering enemies.' After a fortnight's campaign he was hemmed in, compelled to surrender, and taken in strong custody to Ziegenhain[1] as a prisoner of the Landgrave of Hesse. The Brunswick nobles, who had flocked round the Duke, were deprived of their goods and fiefs and expelled from the country;[2] the people were burdened with fresh taxes; religious foundations were again mulcted.[3] Unmindful of their own offences in the shape of violent acts of aggression, the chiefs of the Smalcald League demanded of the Emperor that he would pronounce the ban against the Duke and his supporters.[4] What they had in view was the division of his territory among themselves.

This victorious campaign heightened the self-confidence of the confederates and excited vivid apprehension among the Catholics with regard to the future proceedings of the League. The Protestants indulged in the liveliest hopes for the spread of the 'holy evangel' in the two archbishoprics of Mayence and Cologne.

After the death of Albert of Brandenburg, Archbishop of Mayence, on September 24, 1545,[5] Philip of

[1] See Brandenburg, *Die Gefangennahme Herzog Heinrich's durch den schmalkald. Bund*, 1545, Leipzig, 1894.

[2] Lichtenstein, p. 35; Winckelmann, iii. 675 ff., 697 ff.

[3] Koldewey's *Reformation*, pp. 323–324.

[4] 'You will rejoice with us over this successful campaign,' wrote the Landgrave Philip in his first letter to the Emperor concerning the victory, 'and not have much pity for the man who has disobeyed your Majesty: no doubt, by the time our despatch reaches you, you will already have pronounced the ban against him and his adherents.'

[5] He died 'almost penniless and forsaken' on Sept. 18, 1545. During his illness he caused the cathedral chapter of Mayence to be informed that 'his Electoral Grace had come into power at an unfortunate time, when neither money and jewels nor the natural products of wine, fruits, &c., were forthcoming; his Grace now lay on his death-bed, and had scarcely anything to eat or drink.' He begged the chapter to allow him

Hesse tried to secure the electoral ermine to a man of evangelical proclivities; for then he would be able to count on five votes in the College of Electors. At first he even entertained the idea of placing one of his own sons on the electoral throne; but when he saw that this could not be managed he exerted himself, in conjunction with the Protestant Elector Palatine Frederic, in favour of the appointment of the canon Sebastian of Heusenstamm, who had secretly assured him that he was favourable to the 'evangel' and wished to introduce marriage of priests and the lay chalice.

At a meeting of the Smalcald confederates at Frankfort-on-the-Main the members of the League took up the cause of Hermann von Wied, Archbishop of Cologne.

The Emperor had granted the cathedral chapter and the clergy of Cologne a letter of protection against the innovations of Hermann, and he had repeatedly warned the latter, both in writing and by word of mouth, to desist from his proceedings, because he was in danger thereby of losing his archbishopric, and with it his electoral dignity, the latter being dependent on the former. As Hermann had persisted obstinately in his innovations, legal measures had been instituted against him at Rome, and the Emperor had summoned him to appear and answer for himself at his court at Brussels. The Archbishop, on the other hand, had appealed to a free council, to be held in Germany, and had again called on the League of Smalcald for help.

8,000 florins out of the public treasury for payment of his debts. The chapter refused the request, because 'the archbishopric was so greatly burdened with debts that not only Albert but his successors also would not be able to derive suitable maintenance from it.' May, ii. 478–482.

At the Frankfort meeting the Smalcald confederates pronounced the Archbishop's case to be the general concern of all his co-religionists, gave their solemn approval to his appeal, and resolved to represent to the Emperor by means of a deputation that 'the Archbishop had full right to proceed as he had done, and that no penal sentence ought to be pronounced against him.' They also determined that in case the Archbishop was threatened with any forcible measures they would forthwith come to his succour with all their power. Concerning the measure and form of this help, and concerning a war tax to be levied on all the inhabitants 'for the preservation of the word of God and for the eternal welfare of themselves, their wives and children, and the security of their goods and chattels,' further discussion was to take place at a congress at Worms on the first day of the following month of April. Philip of Hesse considered it of special importance that 'the town of Cologne should be enticed away from the opposite party and brought over to the Protestant side, no matter by what means or intrigues,' for, said he, 'if it really comes to war much will depend on this town.' Owing to scarcity of provisions the Hessian delegates thought it most important that 'the war should not be carried on in our lands, but in those of other sovereigns.'

The advocacy of the Archbishop's cause by the Smalcald league was a source of great anxiety to many of the Protestants, who feared that the Emperor would be greatly displeased, and that if the confederates persisted obstinately in this course war might easily be the result. 'The case stands thus with the Archbishop of Cologne,' wrote the Margrave Albert of Brandenburg-

Culmbach in a confidential letter to Duke Albert of Prussia: 'the bishopric does not belong to him by rights; and he swore at his consecration that he would faithfully respect all its statutes, traditions, &c., and also observe them himself. He has no power to act without the consent of the diocese. The bishopric is attached to the Emperor and the Empire. The right of appointing or deposing a bishop is vested in the bishopric. If the bishop chooses to adopt another religion the Emperor and the diocese may condone the matter as far as the person of the bishop goes, but they must not allow the bishopric and the Empire to suffer thereby.' 'If the Archbishop had been a temporal prince, with hereditary dominions of his own, he would not have been molested thus any more than other princes and Estates have been. None the less, however, is the safety of the Empire greatly endangered by people of this sort and their aiders and abettors. Imperial majesty is brought into contempt by them, and its arm and authority curtailed, in a manner hitherto unheard of. Thank God, the Emperor has always behaved towards the Germanic Empire in a fatherly, peaceable, and Christian manner. For some time past, however, the Diets have been constituted and conducted in such fashion as best suited the purposes of the League of Smalcald. Yet the leaguers are not satisfied. We have heard recently how in Saxony our legitimate temporal sovereign, the Roman Emperor, has been excluded from the public prayers of the country. And yet we call ourselves evangelical princes! I greatly fear that we are behaving in Germany in such a manner that the Emperor and other nations will turn from us in disgust and wash their hands of us.

What sort of strange government we shall then carry on amongst ourselves, how long it will last, and whether we shall not soon be driven to holding out our hands to the Turks—these are questions we shall do well to consider.'

Later on Philip of Hesse, 'the leader in the defence of the bishop,' himself recognised that this 'Cologne affair' had been the Emperor's chief incentive to war, and that it had 'greatly incensed' him against the Smalcald confederates. Because 'these Protestants,' he wrote, 'supported the bishop's appeal and opposed the Emperor so stoutly in the matter, the Emperor, no doubt, feared that our Protestant religion would also be introduced into his hereditary dominions, and that the other bishops would follow the example of Cologne, and that all the electoral princes would become Protestants,' the result of all which might be 'that they would depose the Emperor and elect another.' [1]

But at the time of the Frankfort congress, 'on the strength of the daily increasing power of the League, they went boldly on in all their demands, and flattered themselves that they could easily overcome Charles—for were they not powerfully supported both in their own country and by the help of foreign potentates?'

At the congress of Frankfort the Palatine Elector Frederic, the successor of Louis, entered into alliance with the Smalcald confederates.

As chief provost of the imperial towns in Alsace he had already since 1544, although in the service of the Emperor, secretly favoured the Protestant cause. The preacher Erb at Reichenweier expressed the most

[1] Letters to Bucer of January 7 and April 13, 1547, in Rommel, *Urkundenbuch*, pp. 170, 225; Lenz, *Briefwechsel*, ii. 475, 486-487, 498.

confident hope that Frederic would succeed in winning over the towns of Kaisersberg, Spires, Hagenau, Schlettstadt, and Colmar.[1] From fear of the intrigues of Otto Heinrich of Pfalz-Neuburg, who had been expelled from his territory, Frederic had openly embraced the new religion, and on January 3, 1546, he received the communion in both forms.[2] At the instigation of Jacob Sturm and Schärtlin von Burtenbach Philip of Hesse had an interview with Frederic, and terrified him by representing what a loss it would be to the Empire, and what disastrous complications might ensue, if the archbishopric of Cologne were annexed to the House of Burgundy. Frederic promised, in case of need, to support the Archbishop of Cologne, and to announce at the forthcoming meeting of the League at Worms how much he would give in the 'general contribution;' meanwhile he would proceed in a 'Christian manner' with the propagation of the 'Gospel' in his own country.

The English ambassador, Mont, who was present at the Frankfort congress, reported to head-quarters in London on the great strength and unity of the Protestants, and of their firm determination to resort, if necessary, to force of arms for the maintenance of their religion.[3]

[1] Rocholl, p. 88.

[2] That he did this out of fear of Otto Heinrich, 'qui sibi domicilium Heidelbergae constituerat resque novas, seu favens evangelicae veritati seu popularem captare volens auram, moliebatur,' is related by Frederic's private secretary, Thomas Leodius. *Vita Friderici*, lib. xiii. p. 263. Seckendorf, iii. 616. Von Druffel's *Karl V. und die römische Curie*, iv. 496.

[3] Mont (Jan. 7 and Feb. 10, 1546) to Paget, in the *State Papers*, ix. 1, 40: 'Animadverto horum statuum magnam consensionem et concordiam esse; hancque confoederationem multo melius habere ac sperare

The confederates were reckoning on bringing France, England, and Sweden into their League.[1]

In September 1545 the chiefs of the League, so the papal internuncio reported from Paris to Cardinal Farnese, had asked the French King to take up arms against the Emperor, promising to help him in the conquest of Milan and the subjugation of the Austrian House, and to place him on the imperial throne.[2] 'In order to pave the way' they sent an embassy with instructions to endeavour to effect a reconciliation between the kings of France and England, who were still at war with each other. At the head of this embassy were Johann Sleidan and Johann Sturm, both of them in the pay of Francis I. and active in Germany for the advancement of French designs.[3] The delegates did not attain their object. Francis I. would not conclude an alliance with the Smalcald confederates, because he entertained hopes at that time (in view of the death of the Duke of Orleans, to whom the Emperor had intended transferring the duchy of Milan) of securing Charles's son and heir, Philip, in marriage

quam antehac unquam : cum enim modo quatuor electores in confessione hujus doctrinae conjuncti sint, spes est et in consilijs et alijs suffragationibus eos adversariorum multitudine non praegravari.'

[1] See Schärtlin von Burtenbach's despatch of December 12, 1545, in Herberger, p. 40, and *State Papers*, x. 822.

[2] '. . . . Lutheranorum principum oratores honorifice exceptos a rege et quinquies ab eo auditos, vehementissime illum ursisse, ut signa attolleret in Caesarem, ac pollicitos arma Germanica conjunctum iri, ut Mediolano potiatur atque Austriaca familia deprimatur, Protestantes quoque omnes illum Germanicae nationis caput ac principem constituturos.' Raynald, *ad a.* 1545, No. 33.

[3] See Barthold's *Deutschland und die Hugenotten*, pp. 40, 42. Sturm himself confesses that he received a yearly salary from France. *State Papers*, x. 709. 'This Sturmius,' wrote William Paget to Henry VIII., 'is e great practisioner, and whatsoever he sayth is altogither French.' *State Papers*, x. 747.

for his daughter. In January 1546 he solemnly promised the imperial ambassador St. Mauris, accredited to his court, that 'as long as he lived he would never do anything which was in the least degree at variance with the treaty of Crepy and his brotherly relations with the Emperor.' 'Six times at least,' wrote St. Mauris to the Emperor on January 4, 'did he repeat this assurance: if ever he acted contrary to this promise, he said, the ambassador might tell him to his face that he had broken his word.'[1] Meanwhile, however, he continued 'in friendly connection' with the Smalcald confederates, and 'held out great hopes' for the future. In order to kindle the flames of war in Germany he disclosed the Emperor's plans to the Estates, while, on the other hand, he made the Emperor acquainted with the dangerous intentions of the Protestants,[2] and left nothing undone, as Henry VIII. declared he knew on good authority, to bring Charles to the point of arming against the Protestants.[3]

While the Smalcald confederates were assembled at Frankfort, and had repudiated in two successive State Papers the Council of Trent, which had been opened on December 13, 1545, the religious conference 'destined to prepare the way for true Christian union and reformation' was opened at Ratisbon. This colloquy degenerated into a bitter and rancorous quarrel. Without even waiting for the arrival of the Emperor the Saxon delegates, by order of their

[1] Baumgarten's *Schmalkaldischer Krieg*, pp. 45–46.

[2] Baumgarten, p. 46.

[3] 'His Majesty is credibly advertised from a good place that the Frenche King useth all the meanes he can, to induce the Emperor to make warre against the Protestants.' The Privy Council to Paget, Nov. 22, 1545, in the *State Papers*, x. 699.

Elector, left the town on March 20, 1546, and the other Protestant theologians followed the next day.[1]

Charles made the journey to Ratisbon without an army and with only a small escort; for although he had decided to go to war in case of necessity he nevertheless considered it advisable, as he says in his memoirs, 'to try mild and temperate measures for restoring order in Germany, before having recourse to arms.'[2]

On March 18 he had an interview with the Landgrave of Hesse at Spires, and did all in his power to persuade Philip to consent to the Council; he assured him that 'its decisions would not be precipitate and that they would in no way prejudice the interests of the Protestants.' Philip, however, insisted on a national council, and told the Emperor that the best thing he could do would be to raise the sword against that 'wicked usurper' the Pope. A general council, he said to Vice-Chancellor Naves, was certainly much to be desired, but only such a one as would conform to the Augsburg Confession.[3] Granvell informed him on March 29 that it was the Emperor's wish that the discussions of the theologians at Ratisbon should be resumed in the presence of the Electors and all the Estates of the Empire; the attendance of the Elector and the Landgrave was imperatively necessary. The Landgrave refused to appear. The Emperor begged him personally, three separate times, to come to the Diet at Ratisbon, if not at the beginning at any rate

[1] Pastor's *Reunionsbestrebungen*, pp. 305-329; Heyd, iii. 323-324; Spahn, *Cochlæus*, pp. 307 ff.

[2] *Auszeichnungen*, p. 97.

[3] See Philip's letter to the English ambassador Mont (March 30, 1546) in the *State Papers*, xi. 87.

later on. Three times the Landgrave obstinately refused the request of Charles.

On April 10 the Emperor arrived at Ratisbon.

None of the princes had yet made their appearance, and only a very small number of delegates.[1]

Charles sent out letters and messages to repeat the summons, but the Smalcaldian chiefs kept at a distance. Not till June 5 was the Emperor able to open the session, and then only with a very small gathering. In his address to the members he reminded them of the efforts he had made for years past for the healing of the religious schism, complained of the breaking up of the Ratisbon conference and the absence of so many of the princes, and asked for the opinion of the meeting on the questions of Turkish subsidies and the organisation of the Imperial Chamber.

The Catholics begged him to refer the religious question in its entirety to the Council at Trent, and to bind over the Protestants to accept the Council's decisions. But the Smalcald allies declared they could only entrust the decision of religious matters to a German national council and to an Imperial Assembly, and they added that the Catholics also must submit to this decision. They would not even agree to the request made to them by the Emperor at the Diet of Worms, and now reiterated, that they would at least

[1] On May 10, 1546, Melanchthon wrote to Mythobius: 'De conventu Ratisbonensi nihil significatur, nisi Carolum imperatorem aegre ferre principum absentiam, quod certe consentaneum est.' *Corp. Reform.* vi. 132. On June 25, 1546, the English ambassador John Masone wrote to Paget from Spires concerning the Emperor: 'He is undoughtedlye concitatissimo animo in illos [the Protestant Princes] as well for the absenting of them selves from this Dyett, as the sudden departing of their lerned men from the same, and for their dysobeying of such processes as passe ex Camera.' *State Papers*, xi. 266.

come to Trent and themselves lay their objections and the reasons of their ' recusation ' before the Council.

On his arrival at Ratisbon the Emperor was overwhelmed, as he had been at every Diet he had attended since 1530, with complaints from the Catholics of Protestant molestation.

The Bishop of Hildesheim asks in his petition ' with what right they have invaded his bishopric, which in no way belongs to the Protestants and where they have no tittle of authority, and plundered and destroyed churches and cloisters, expelled monks, nuns, priests, and schoolmasters, forced a new religion on the people, and acted in every respect as if they were lords of the territory, although he was bishop and a Prince of the Empire.' ' Because we wish to remain true to our faith and to continue in obedience to our bishop,' complained twenty-three clerical members of the diocese of Hildesheim, ' they have driven us into misery, and have even robbed many of us of our patrimonies.'

' Our parents and we ourselves,' wrote some of the burghers of Mühlhausen, in Thuringia, on May 16, ' have founded Masses and given endowments for schools in which the young of the land might be instructed in the true Catholic faith, but the town council, from terror of Saxony and Hesse, have embraced the new religion, inhibited our Catholic faith, and confiscated all the endowments or appropriated them to the use of the new religionists. Our remonstrances and our prayers that at least they would give us back the goods that belong to us have met with no response. We now appeal for help to the Emperor, as the guardian of peace and justice.'

The Franciscans in Halberstadt complained as follows

on January 20 : ' By the orders of the town council they suddenly fell upon our monastery, stole all the sacred vessels and ornaments, destroyed the images, carried away our archives, and committed acts which our pens refuse to describe.' [1]

The Bishop of Ratisbon renewed the petition which he had drawn up against the town council at the last Diet at Worms, and in which he complained that, ' contrary to the promise made to the Emperor to remain true to the old faith, and in defiance of the imperial mandate of May 23, 1544, which forbade all encroachments and attacks on the authority of the bishop, the council had changed the religion of the town, had appointed laymen and married men to be preachers, had placed secular teachers in the three schools which from antiquity had been under the government of clergymen, had set up brothels, confiscated the monasteries of the Mendicants, closed several old house-chapels, withheld ecclesiastical benefices, insolently refused to pay tithes, cited a priest before a civil tribunal while he was officiating at the altar, and, so to say, coerced the whole population into adopting the new doctrines.' [2]

[1] In the *Memoirs of Father Greitner* we read : '. . . mulieres saltantes, nudas ac omni pudore exutas, congregatis sub mensa Franciscanis, immiserunt, verbis et gestibus istos ad illicita invitantes. Detestandi sane fructus novi Evangelii et purioris, ut Lutherani jactant, doctrinae.' Gaudentius, p. 341, note.

[2] Gemeiner, *Reformation*, pp. 110, 171, 181. Widmann, pp. 199–200, 211–213, records some disgusting details of the times when the new doctrines were introduced. Before the Reformation suicide was of extremely rare occurrence in Germany. Widmann, wishing to impress upon posterity the misery of his own times, quotes (in his *Chronicles*, pp. 147–148) the fact that in one single year three suicides occurred—one in Augsburg, another in Ratisbon, and a third in Traublingen. Canon Königstein, of Frankfort, in his Diary from 1520 to 1548, p. 120, records a case of suicide in his town as an event of special interest.

From Kaufbeuren and Donauwörth also complaints poured in of the violent oppression and molestation of the Catholics, of destruction of altars and images, confiscation of church property and charitable institutions.[1]

In order that no proceedings should be taken against the religious innovation in Donauwörth, the town council of Augsburg had taken the precaution of sending the Protestant party a company of soldiers, and on April 26, 1545, had suggested to the Landgrave of Hesse that it would be well, 'in view of the distressing state of things,' to send an influential deputation to the confederates to ask for help.

'When the Emperor,' wrote Carl van der Plassen on June 17 from Ratisbon, 'remonstrated with the Protestants on account of the despotic manner in which they had suppressed the Catholics all over the Empire, even in districts where they had no authority whatever; had taken possession of churches, monasteries, land, property, charitable institutions, and schools; circulated libellous writings of all sorts against the Pope, the clergy, and all the disciples of the old faith, to which he himself belonged, he received for answer: "They were not conscious of having done anything illegal or at variance with the Gospel; to punish idolatry and openly heathenish conduct was commanded in Scripture by the Holy Ghost."'

The Emperor's patience was now exhausted.

'You know, dear sister,' Charles wrote to Queen

[1] *Trierische Sachen und Briefschaften*, fols. 229-231. Concerning the proceedings in Kaufbeuren see Stieve, *Die Reichstadt Kaufbeuren*, pp. 9–15. Concerning Donauwörth see Steichele's *Bisthum Augsburg*, iii. 722 ff.

Maria on June 9, 1546, 'what I said to you on my departure from Maestricht—that I would do everything in my power to restore order and peace in Germany by amicable means, and if possible avoid going to war.' On his journey he had used his utmost exertions in this direction, he said, with the Landgrave and the Elector Palatine Frederic, and at Ratisbon also he had spared no pains 'to effect a friendly reconciliation with the Lutherans and other erring people.' 'But nothing that had been done had been of the slightest use. In spite of letters and entreaties the Princes no longer came to the Diet. As I have been informed from many quarters, after the close of this Diet, at which, according to Protestant prognostication, nothing will be accomplished, and affairs will be left in the same hopeless confusion as at the beginning, it is their intention to establish a government of their own to which, setting aside the Emperor's authority, they will compel the whole of Germany to submit; they will completely annihilate the spiritual princes, and above all they will do their very worst against myself and King Ferdinand. Unless some means are found, without further delay, to put down these Protestants, all the Catholics everywhere will be exterminated. I have very great sympathy with the complaints that they are raising in all directions. After long consultation with my brother and with the Duke of Bavaria, our cousin, we have decided that no other means will serve than to use force against the seceders and to compel them to submit to reasonable terms.' The position of affairs, he went on, was highly favourable for taking drastic measures, for the opposition party were at the present moment very much disheartened and exhausted by the expenses

of their wars. 'Moreover discontent and ill-will were rife in Saxony and Hesse and in other Protestant principalities, both among the nobles and the people, because their rulers fleeced them down to the bone and held them in worse servitude than before. The nobles and some of the princes were incensed against the Elector of Saxony and the Landgrave—especially against the latter—on account of the capture of the Duke of Brunswick and the seizure of the duchy. Added to all which they were divided into a variety of dissentient sects.'[1]

There was also hope of bringing some of the Princes, especially Duke Maurice of Saxony, the Margrave Albert of Brandenburg-Culmbach, and others, to submission to the Council. Moreover the Pope had offered considerable help in troops and money.[2]

Two days before the despatch of this letter, on June 7 a secret treaty against the Protestant Estates had been concluded between the Emperor, King Ferdinand, and Duke William of Bavaria, who had been left sole ruler by the death of his brother Louis. Chancellor Eck, whose 'honorarium' of 2,000 Italian crowns had this time come from the Emperor, had bestirred himself actively in the matter. Duke William promised to pay 50,000 gold florins and to procure artillery, munition, and provender; in return for which, if the Palatine Elector Frederic, who had joined the Smalcald confederates, did not of his own free will return to allegiance, but had to be coerced by arms, the Duke was to be invested with the electoral dignity. William's

[1] 'The division among the Protestants,' wrote Charles on Feb. 16, 1546, to his son Philip, 'is so great that house is at enmity with house' ('. . . la division que hay entre los protestantes, no solo en los pueblos, pero aun en sus mismas casas'). Döllinger's *Documente*, p. 42.

[2] Lanz, *Correspondenz*, ii. 486–491.

heir, Duke Albert, was to marry Anna, the elder daughter of Ferdinand, and on the failure of male heirs of the King the Bohemian crown was to pass to the House of Bavaria. William declined to bind himself to a war of aggression.

On the same day the Emperor signed the protocol of a treaty with the Pope, in which it was stated that 'whereas Germany had long been plunged in great error and perversion of faith, and the ruin of the German nation was to be apprehended, with a view to the restoration of unity a council had been convoked at Trent, which council had already been opened and had held several sessions. As, however, the Protestants, including the confederates of Smalcald, had repudiated the said council and had refused to attend it, the Pope and the Emperor had thought it well and advisable to agree together on the following points: first, that the Emperor, with the help and concurrence of the Pope, should equip himself with all his might, by the following June, against those who had protested against the council, against the League of Smalcald, and against all those who in the German Empire are persisting in this error and perversion, in order to bring them back to the old, true, undoubted faith and to obedience to the Holy See. Before arming himself, however, the Emperor would use all diligence and try every possible means to bring back the renegades in a peaceable manner. The Pope pledged himself to pay down 200,000 florins, which were to be returned to him if the war were not prosecuted. He further made himself responsible for 12,000 Italian infantry and 500 light cavalry, which were to be maintained at his expense for the space of six months. He also agreed to allow

the Emperor, during one year, half of the revenues of the churches in Spain and 500,000 ducats from the monasteries there; these sums, however, were only to be expended on the war, and the Emperor was to contribute as much from his own purse. Finally, membership in the League was to be open to every prince and every territorial lord, both temporal and spiritual, in Germany and elsewhere.[1]

This treaty, however, was immediately violated on the part of the Emperor by the promises which he gave the Margrave Hans of Brandenburg-Cüstrin and Albert of Brandenburg-Culmbach and Duke Maurice of Saxony in matters of religion, in order to draw them away from the Smalcald League and entice them to himself.

Ever since the dispute concerning Würzen the relations of cordial friendship between Maurice and the Elector John Frederic of Saxony had been replaced by feelings of rivalry and suspicion, because both princes had an eye to succeeding to the bishoprics of Magdeburg and Halberstadt.[2]

[1] Goldast, *Reichshandlungen*, pp. 139–141.

[2] Maurice had joined the League of Smalcald in 1539; nevertheless in the year 1542 he told the Landgrave of Hesse that the Estates of his duchy would have nothing to do with the League; if, however, it should be a question of defending religion, he would lend help. Voigt, *Herzog Moritz*, pp. 58–59. In March 1545 he made a proposal that in place of the former League a closer union should be concluded between himself, the Elector, and the Landgrave; for there was increasing danger, he wrote to Philip, 'that Satan would prepare obstacles in the way of the word of God.' He was of opinion that the Princes should give powerful aid to the Emperor against the Turks, and should in return demand from him full mastery over the possessions of the spiritual Estates of the Empire. The princes would divide the booty amicably, he thought, among themselves. Philip approved of the proposition: not so the Elector. He could not agree to any closer union until the disputes between himself and Maurice regarding their boundaries had been adjusted. Philip reproved the Elector for preferring his petty personal

In April 1546, at the Diet at Ratisbon, Maurice, through his delegate, Christopher von Carlowitz, intimated to the imperial minister Granvell that in return for the hereditary protectorship of the above two bishoprics he was ready to enter into an agreement with the Emperor. Granvell answered that the Duke had better come himself; the Emperor would behave to him as a father and a friend. On May 24 Maurice entered Ratisbon on horseback and negotiations were begun. The Emperor finally decided on going to war against the Smalcald confederates, and the transactions with Maurice were brought to a conclusion on June 19. In spite of the treaty with the Pope, Granvell assured the Duke that 'it was the Emperor's intention to convoke a Christian general council from all the different Christian nations, to which the Pope would have to submit; and that the Emperor was ready to permit a free discussion at which the evangelicals would obtain a hearing and be treated without prejudice according to Divine Scripture.' In the transactions with Maurice the imperial parties contented themselves with the affirmation that 'Maurice would submit to the decrees

grievances to great public interests which concerned the religion of all countries. In the autumn and towards the end of the year 1545 took place the final 'friendly interviews' between the two Saxon cousins at Torgau, Schweinitz, and on the Schellenberg, near Chemnitz. Throughout 'mighty great drinking bouts' were a feature. The Elector, who was a past master in the art, challenged the company to a 'Wettsaufen' (drinking match). To many the result was disastrous. Count George of Mansfeld after the Schweinitz carousal lay at death's door. Several, amongst them Ernest von Schönberg, drank themselves to death. Maurice himself, although he belonged to the category of the '*Tollen und Vollen*,' and could put any ordinary antagonist under the table, was no match for his cousin. He had to be carried in a chair from the Schellenberg to Dresden, and for a long time his condition remained serious. See v. Langenn's *Melchior von Ossa*, pp. 67–68. Arnold, *Vita Mauritii*, 1174–1175, 1253–1254.

of the Council in so far as the other Princes of Germany would do likewise.' If all the disputed articles of religion were not amicably settled at the Council, but two, three, or four of them remained unsettled, Maurice was to be guaranteed perfect security and freedom from anxiety until a further settlement. A similar assurance was also given to the Margrave Hans von Cüstrin.

By concessions of this sort the Emperor again sacrificed the authority of the Council which he had promised to uphold at his meeting with the Pope.

Granvell's attitude towards ecclesiastical affairs was still exactly the same as in 1541, when Matthew Held wrote of him: 'He wants to traffic and bargain in religion, to haggle, to buy and to sell, as if it were a purely secular business, and as if God had entrusted the doctrines of the faith and the government of the Church not to the successors of St. Peter and the other apostles, but to politicians, jurists, and pettifoggers.' With regard to the doctrine of justification, said Granvell to Duke Maurice's counsellors, they had already come to an understanding; about the marriage of priests and Communion in both kinds they need not trouble themselves; and as for the Duke's raids on cloisters and misappropriation of church revenues and endowments, there is no fear of the Emperor's visiting him with chastisement on that score.

Maurice was invested with the protectorship over the bishoprics of Magdeburg and Halberstadt and their lands and subjects, on condition that he would leave the Archbishop, the Bishop, and their subjects in the enjoyment of their old faith and maintain the chapters in possesson of their liberties and privileges, including the right of election. The latter, however, were only to make

choice of such persons as were approved of by the Emperor and the King and were not hostile to the Duke. The Emperor secured the neutrality of the Duke, not his co-operation in the war. Maurice promised that he would in all respects behave towards the Emperor, the King of the Romans, and the Empire as a loyal and obedient Prince of the Empire, seeking always to further their best interests; in especial he would always show friendship and devotion to the Houses of Austria and Burgundy. Ten days later, June 29, he assured the Landgrave of Hesse that he would do all in his power to avert the danger which might threaten the Houses of Saxony and Hesse from the part of the Emperor; Philip might rely on 'all faithful friendship' from him.[1]

Meanwhile delegates from the Smalcald allies had been holding meetings at Worms and at Ulm. At the first of these the Archbishop of Cologne, the Palatine Elector Frederic, and the Bishop of Münster declared themselves in favour of the enlargement and extension of the League; the town of Ravensberg was received into it. At Ulm it was decided in June that if war broke out with the Emperor the bishoprics of the Empire should, for the benefit of the League, 'be provided with good Christian government,' be secularised and evangelised. There was to be no more questioning, said the Saxon Elector's Vice-Chancellor, Burckhardt, 'as to how they were to behave with regard to the clergy and their property, but, as the "Pfaffen" were the enemies of the League, they must pitch into them at once and let each man take and keep whatever he could.'[2]

[1] Instructions for Dr. Fachs in v. Langenn, *Moritz*, ii. 266–268.
[2] Voigt's *Moritz*, p. 137.

Philip of Hesse had sketched out the plan of procedure. 'When the moment arrived,' he wrote on June 26 to Ulrich von Würtemberg and to the towns of Augsburg and Ulm, 'they must set about the business in good earnest and not stop till all the priests had been expelled from the whole of Germany; let them all steadfastly resolve on this course.'[1]

Thus then, as the well-informed Emperor wrote to his sister, the Smalcaldians intended not only to suppress the ecclesiastical princes, but also, if fortune favoured them in the war, to drive the whole of the Catholic clergy bodily out of the Empire.

'The Emperor is now thoroughly incensed,' wrote a Hessian emissary from Ratisbon on June 14, 'and he is determined to push matters through. He is specially incensed against the Landgrave and Cologne.'

'A great and pious man has carried on a dispute with the Bishop of Augsburg, who is outspoken in his denunciations. He denies that religion has anything to do with the business in hand; he lays the blame on your Grace's insubordination, especially your failure to obey the Emperor's summons to appear at the Diet. The Emperor will declare war for secular, not for religious causes.'

The Emperor himself wrote to this effect to the towns of Strasburg, Nuremberg, Augsburg, and Ulm, to Duke Ulrich of Würtemberg, to the Archbishop of Cologne, saying that for the welfare of the Empire he must have recourse to arms in order to restore order and justice, to assert his own dignity, and to put to the rout certain insurrectionary people who would otherwise turn the Empire upside down. Certain disturbers

[1] Rommel's *Urkundenbuch*, p. 135.

of peace and justice, he said in a letter addressed to the four towns on June 16, had for a long time past availed themselves of the Christian religion and the glory of God as a mantle and excuse for their unlawful attempts to subjugate the other Estates of the realm and to rob them of their goods. Now these said persons had actually presumed to assail the Imperial Majesty and authority, and had proclaimed that they intended to raise the sword against the Emperor, and indeed it had already long been their practice to embitter the lower classes against him by means of scurrilous pamphlets and lampoons, and to stir them up to open rebellion. To disregard and connive at such behaviour any longer would only mean the complete subversion and ruin of the Empire, especially of the imperial cities. He had accordingly resolved to bring his disobedient and refractory subjects to condign punishment, and thereby to re-establish the German nation in peace and unity.

On both sides preparations for war were begun. But whereas the Emperor at Ratisbon ' was not yet furnished with adequate troops,' the Smalcald League could everywhere count on plenty of efficient companies and regiments. The town of Augsburg especially was in a fever of activity, its general, Schärtlin von Burtenbach, busying himself indefatigably in recruiting soldiers throughout the districts of Würtemberg, Alsace, and the whole surrounding neighbourhood.

Schärtlin, in the spring of 1546, had ' suppressed popery ' at Burtenbach, and he was now burning with longing to ' put down the " Pfaffen " and their adherents.' When, on July 19, the Emperor ordered him, on pain of forfeiture of his estates, to suspend his military preparations and to make over to his Majesty's service the

troops he had levied, he answered, with insolent reliance on his superior might, that 'he was only recruiting soldiers to protect the town of Augsburg and to save the fatherland.' On June 25 he came to Augsburg with 4,000 soldiers, the very same day on which the town had given the Emperor the deceitful assurance that 'your Majesty may at all times confidently expect from us, as a community ever loyal and obedient to your Majesty, nothing but dutiful and submissive allegiance, and surrender of all means at our disposal for resistance to the enemy.' [1]

Schärtlin was appointed commander-in-chief by the towns of Southern Germany, and he advised beginning the attack at the very earliest date possible, surprising the imperial mustering-places and cutting off the Emperor's connection with Italy by the occupation of the Grisons and the Tyrolese passes. After seizing the gaps of Ehrenberg and Finstermüntz they would have no difficulty in taking possession of the bishopric of Augsburg. Duke Ulrich of Würtemberg on July 4 promised the help of his infantry, but he would not place his cavalry under the command of the town commander-in-chief. 'We are well assured,' he wrote to his councillors on July 9, 'that Schärtlin would be only too glad that we should lend him our cavalry, and would not shed a tear if they were annihilated. But we would see the villain drawn and quartered rather than do anything of the kind.' [2]

On this same July 9 Schärtlin, with twenty-four companies and twelve pieces of larger and smaller artillery, stood before the gates of Füssen, captured the town, and initiated the religious war. He abolished the

[1] Herberger, pp. lxxx–lxxxiii.

[2] Heyd, iii. 373.

Catholic worship, threw the 'idols' out of the churches, commissioned a preacher 'to free the pious citizens from the bonds of the devil.'

In the night of July 10 a successfully accomplished assault gained him the castle of Ehrenberg, near Reutte. He then prepared 'with all his forces and artillery' to disperse the Council of Trent, and hoped in a short time to have made himself master of the Tyrol as far as the frontier of Italy.[1]

But the town of Augsburg, which feared an attack from Bavaria, recalled him. The Smalcald board of war assembled at Ulm insisted that he should march along the river Iller back to Ulm, because they wanted to collect all the forces together at that point, in order to make an immediate attack on the Emperor's camp at Ratisbon. Before leaving Füssen, however, he plundered all the churches and clergy of the town. 'He set the peasants on to massacre the idols in their churches' and 'appropriated chalices and church silverware to base uses.' Fearful atrocities were committed in the monasteries and convents.[2] All the boroughs of the bishopric of Augsburg, in the Oberland, were compelled

[1] See Ladurner, 'Der Einfall der Schmalkaldener in Tirol, 1546,' in the *Archiv für Geschichte und Alterthumskunde Tyrols*, i. 145 ff. For Ferdinand's preparations in Bohemia, where for a long time past many people had become reconciled to the new religion, and the attitude of the Bohemians at that critical period, see Bucholtz, vi. 352 ff.; Huber, iv. 114 ff., 120 ff.

[2] The nuncio Verallo describes some of these atrocities in his despatch of July 11: 'Entrati in un monasterio de frati . . . li pigliorno tutti et alzaronli li panni alla cintura, che mostravano tutte le parti vergognose; et cosi li menavano per il campo et exercito loro con infinite ingiurie, dandoli delle botte.' Professor Lenz, in his *Kriegsführung der Schmalkaldener*, p. 441, has nothing further to say regarding these occurrences than that Schärtlin 'forthwith permitted his preacher, John Finner, to proclaim the evangelical doctrines and to remove the images from the

'by order of the League' to do homage to Schärtlin. In his 'Memoirs' he relates with unction what part of the booty he secured for himself, and what lands he appropriated. 'From the provost of Wettenhausen,' he writes, 'I have taken the two boroughs of Kemnat and Schönenberg, and Hagenried from the provost of the Sacred Cross, and made him swear fealty to me; and I have confiscated the rents, tithes, and dues starting Martinmas of this year. At Burtenbach I appropriated all the goods of the chapter and other "Pfaffen."'[1]

All this was imperative 'for the advancement of the Gospel.' Schärtlin repeatedly urged the Council of Augsburg to take possession of all neighbouring monasteries. Southward as far as the Alps, and westward as far as the Günz, all the land must swear allegiance to the town and the people be protestantised in all haste. He wished that the commanders of the army should be furnished with a formula by which they might command the knights of the margraviate of Burgau 'to abolish all the papal abuses and to introduce godly Christian rites and ceremonies.'

On July 20 Schärtlin allied himself with the Würtemberg troops at Günzburg, which were under the command of Hans von Heideck, and which had also ravaged the 'monasteries and clergy in the Danube provinces and done all in their power to bring the people over to the "Gospel."' The town of Dillingen, belonging to the Bishop of Augsburg, and the imperial city of Donau-

churches.' Nothing else? 'Of course the occupation of the bishopric was followed by its evangelisation, the more so as the population desired nothing so eagerly." In the vocabulary of a Schärtlin 'evangelisation' was synonymous with plunder and sacrilege.

[1] *Lebensbeschreibung*, pp. 93–95.

wörth were seized; the preacher Frecht, of Ulm, was instructed to convert the Catholics in 'hot haste.'

The work of 'sweeping up' churches and cloisters was proceeded with vigorously.[1]

While these conquests and raids had been carried on in the south by members of the League, without any previous declaration of war, the heads of the confederacy had also been equipping on a large scale. A few days before his interview with the Emperor at Spires, Philip of Hesse had solicited the King of England for help to the amount of 100,000 crowns, and also for a private pension for defence 'against the papists.' He appealed simultaneously, at the end of March, to Francis I. for 'money to carry on necessary preparations.' The nobles were not to be reckoned on, he wrote on June 4 (still before the opening of the Ratisbon Diet) to the Elector of Saxony; 'it was necessary therefore to have foreign cavalry always in readiness.' In a short time he had collected ten squadrons of foreign troops. After Francis I. had concluded peace with Henry VIII., at the end of May, Philip hoped for active help from him against the Emperor. On June 24 he requested the council of Strasburg to represent to the King of France that now, since the war was on against us, it was the very time for him to renew his hostility, and that he ought not to overlook his opportunity.'[2]

At a meeting at Ichtershausen John Frederic and Philip, on July 4, drew up the letters of credit for their ambassadors to England and France. They begged the English King that he would not withhold from them

[1] Keim, *Ulm*, p. 365.

[2] Baumgarten, *Schmalkaldischer Krieg*, 38, note 2.

in this extremity 'his counsel, help, delivery, and support.'

The Landgrave, especially, entreated for money help, reminding Henry VIII. 'that his interests were the same as those of the League, as he was engaged in a like struggle against the Roman Antichrist.'[1] Writing to Francis I. he said he was able to add to his prayer for support his thanks for favours conferred on the confederates, for the French King had sent them, through Johann Sturm of Strasburg, all sorts of information respecting the Emperor's military preparations and levying of troops. 'The towns of the south,' Philip assured the King in a letter which fell into the Emperor's hands, 'had already collected more than 20,000 efficient soldiers; he himself in a few days would have got together a powerful armament in addition to the Saxon and Flemish troops. But the King must send him supplies as soon as possible, for a large army required in the long run a great deal of money to maintain it.'[2]

At Ichtershaufen the heads of the League made the necessary arrangements for massing together in the neighbourhood of Meinigen and Fulda by July 20 an army of 16,000 infantry and 9,000 cavalry, with 1,400 sappers and sufficient artillery. On July 4 they sent, with their credentials for the ambassadors to England and France, a letter to the Emperor, to the effect that 'having become aware that the Emperor was equipping in great force and that his army was intended for war against them, they could not refrain from declaring their innocence. They were not conscious of any

[1] Baumgarten, 39–42.
[2] Schmidt, *Neuere Geschichte der Deutschen*, i. 75.

disobedience towards him; on the contrary, they had been more faithful than other Estates in the discharge of their duties and had borne their share in the national burdens. They could prove before any one that they were innocent of all disobedience, and that his Majesty's forcible and warlike proceedings, resorted to at the instigation of the Roman Antichrist and his unchristian council at Trent, had no other intent than the extirpation of the true Christian religion and the divine word, and also the suppression of the rights and liberties of the German nation.' [1]

The preachers also were enjoined to use their influence with the people in the spirit of this protest, and to rouse them to enthusiasm for the fight 'against the Roman Antichrist and his supporters, and in favour of the Gospel and the 'word of God.'

On July 4 John Bugenhagen, superintendent of Wittenberg, sent orders to the preachers throughout the Electorate of Saxony to instruct the people from the pulpit that 'their enemies were seeking to exterminate divine truth, to perpetuate open idolatry and debauchery;' that they intended 'to lay waste the principalities and towns in which the right doctrine was preached, to massacre numbers of pious and learned people, and to dishonour women.' They were 'intoxicated with the blood of the saints already shed, and they grew more and more bloodthirsty the longer they went on, and were now only panting for further slaughter of true Christian preachers, women, children, and others.' The preachers were ordered to insert the following prayer in the Litany: 'That Thou graciously preserve us from the blasphemies and abominable

[1] Hortleder, *Rechtmässigkeit*, pp. 280–281.

slaughtering and profligacy of Thy enemies, the Turks and the Pope.'

'To all those who forsake the Elector of Saxony,' said the Bishop of Naumburg, Nicolaus Amsdorf, in the preface to a 'Christian Prayer' published by him, 'be it known that they are taking part with the Emperor and the Pope against God and His divine word, and that they are haters and persecutors of the truth.' 'Diligently and repeatedly it was to be impressed on the people,' such were the orders of the superintendent and preachers of Magdeburg 'that all this raging of the Devil, the Pope, the Emperor, and the whole pack of godless tyrants had no other aim than to extinguish the Christian faith, to destroy the Church of Christ, to rob disquieted consciences of every vestige of hope and consolation, to overthrow all Christian discipline and instruction among the young, to abolish schools, to uproot all order and government in town and country, to introduce a condition of perpetual wretchedness among clergy and laity, and to reduce the German nation to shameful bondage under a system of diabolical, blasphemous idolatry.'

The Smalcald confederates went forward with such unbounded confidence because 'from all quarters they had massed together so large a number of admirable warriors,' and 'were still expecting large accessions of help from foreign potentates.' On July 9 secret emissaries from Lübeck gave information that King Christian III. was recruiting every third man in Holstein and Denmark, and forcing into his service all the farm labourers and boatmen he could lay hands on. He had closed the Sound and detained four hundred large and small vessels laden with corn, oats, and

merchandise belonging to Holland and the Netherlands. The King of Sweden also was making great preparations for helping the League; in like manner Lübeck, Hamburg, Rostock, and the other towns 'were equipping in such force that it was beyond all measure;' in the bishoprics of Bremen and Minden also preparations were on no less extensive a scale. 'In a short time you will hear wonders also of us poor Saxons,' one of the messengers declared. 'There need be no fear anywhere,' said another on July 13, 'but that we shall put utterly to the rout both the Antichrist and the Emperor, who has become the hangman and beadle of Antichrist, and that we shall set up a new order of things in which there will be no place for all the swarm of priests and their followers.' In the eyes also of the Hamburg burgomaster, Matthias Reders, the Emperor was only 'the hangman and beadle of the Pope.' A popular song against the Emperor ran as follows:—

He swore the Empire to augment,
But on destruction now alone
The Emperor is bent;
He'll skin us to the bone.
He's grown into a traitor base
To God and to the German land;
He'll slay the Germans with his hand,
To his perpetual disgrace.[1]

'It has been said,' writes a Protestant, 'that the Landgrave of Hesse affirmed in the presence of witnesses that if once he got his Majesty in his power he would have him crucified, with a cardinal hanging on either side of him.'

'Before he came back again,' Philip said openly before his departure for the war, 'he would have won

[1] Von Liliencron, iv. 340–341.

himself a better country than Hesse.' At Frankfort a gilt cuirass, 'on which was an eagle with a gold crown,' was made for the Landgrave.

'Forty-three companies, amongst which are two companies of Swiss,' wrote the town of Constance to Zürich, 'took their oath at Ulm (July 22) on the code of articles, and promised full obedience; these numbers do not include the other Swiss soldiers and Landsknechts stationed at Kempten, Memmingen, and Ravensburg, who make up seventeen companies. News has come that the King of France is equipping to march with an army to Milan. The Emperor and his priests are making merry at Ratisbon, feasting and dancing, just as if there were no danger at hand.' According to the account of the town delegate who had been present at the meeting of the League at Memmingen the Emperor had with him no more than thirty companies of German soldiers and not above eight hundred mounted soldiers. It was all in vain that the Emperor, on July 13, besought the Swiss assembled in Diet at Baden to recall the Landsknechts from the service of his enemies and not to allow them to fight against him.[1]

'Had the confederates of the south, together with Saxony and Hesse, marched straight on Ratisbon and surprised the Emperor in his palace, as had at first been intended, the Emperor would have been in the greatest personal danger, and the war from the very commencement would have been decided against him. On July 30 a messenger from the Lord of Basse-Fontaine, the French ambassador at the imperial

[1] Charles's despatch from Ratisbon, July 15, 1546, in the archives at Lucerne, section 'Reichssachen.'

court, was sent from Ratisbon to the camp of the confederates with the announcement that 'the King was wholly on the side of the Protestants, and not on that of the Emperor; he had sent an ambassador to Switzerland to persuade the Swiss to contribute help and to decline the overtures of the Emperor and the Pope.' The Emperor would not do anything: the allies had better march on Ratisbon without delay, and then Charles, who had only a very few troops with him, would be obliged to abandon the town and 'desist from his whole intentions.' The following year he, Francis, would raise a revolt against him in other lands, and the Smalcald confederates would have rest.[1]

Driven to desperation by the bandit raids of the confederates in the Tyrol and along the Danube, and having become informed, through the seizure of some letters, of the conspiracies going on with France, the Emperor at last decided on the 'final step.'

After receiving from the chiefs of the League, on July 15, a fresh manifesto in which they again attempted to prove their innocence, and accused the Emperor of violating his capitulation oath and of usurping unconstitutional prerogatives, Charles pronounced the sentence of the ban against John Frederic of Saxony and Philip of Hesse. He declared them both to be disobedient, disloyal, undutiful, and perjured rebels, insurgent contemners of his Imperial Majesty, violators of the public peace, and just objects of his chastisement. Their subjects and vassals were pronounced free from their oaths of allegiance to them; their partisans and adherents were threatened with the same punishment as themselves. In order to justify and

[1] Lenz, *Kriegsführung der Schmalkaldener*, p. 459.

account for this proceeding on his part the Emperor alleged that both these princes had done all in their power to nullify the persistent efforts he had for years past been making to heal and bridge over the unhappy and dangerous religious schism with which the nation was afflicted, and to transform the mutual mistrust that had grown up among the imperial Estates into good-will and friendship. They had not been content to restrict their insubordination to themselves, but had also endeavoured to incite other princes and Estates to join in intrigues and conspiracies ; they had driven one prince of the Empire out of his territory and taken possession of it themselves ; they had made themselves masters by fraud and violence of bishoprics, whose occupiers had from time immemorial had seats and votes at the Diets ; they had robbed many persons of their property and yearly incomes, and had taken foreign subjects under their protection. Their audacity went so far as to repudiate all laws and recognise no civil authority ; through their fault alone the Kammergericht had been suspended, and, for a long time past, a thing unheard of in any country, there had been no tribunal of justice in the land. And the worst of it all was that whatever they did was done under the sweet and plausible names of religion, peace, and liberty, although in reality the very last things they wished for were the settlement of religious disputes and the peace and liberty of the Empire. On the contrary they made no secret of their determination to deprive him (Charles) of his crown and sceptre and all his authority, and usurp them to themselves, and in the universal confusion that would ensue to augment their own power and prestige, and subjugate the whole nation to

their tyranny. With this object they had endeavoured by lampoons and caricatures to make him contemptible in the eyes of the people; they had formed alliances against him at clandestine meetings; they had incensed foreign monarchs against him and supported these potentates with counsel and active service; yea, more, it could actually be proved that they had endeavoured to jeopardise the safety and welfare of the nation by means of the Turks. Although, by right of his sovereign power, he might long ago have punished these two princes for their crimes, he had nevertheless, from love of peace, overlooked many offences, and often made greater concessions to them than was fitting; indeed, he had more than once compromised his conscience and injured his reputation on their account. For instance, five years ago he had been far too lenient towards the Landgrave at Ratisbon, two years ago towards the Elector of Saxony, in the hope of winning them by forbearance and consideration and without having recourse to forcible measures. But he had obtained no result in this manner. The princes had treated all the agreements that had been concluded as mere means for tying the hands of the loyal and obedient subjects, and depriving them of the natural right of self-defence, while to themselves, the rebels, all manner of illegal, unconstitutional acts against the unoffending Catholics were to be allowed. If these refractory subjects were not kept in check, the whole constitution of the Empire would be subverted, and there would be no possibility either of adjusting the religious disputes or of restoring order in the other affairs of the Empire.[1]

[1] Hortleder, pp. 312–318. The pronouncement of the ban is dated July 20, but it was executed later on. See v. Druffel, Viglius' *Tagebuch*, p. 50.

Out of regard for the Protestant princes allied with him and for the Protestant population the Emperor made no mention in this declaration of the religious motives which had actuated him in going to war. He observed the same reticence in other public documents in which he enumerated the reasons of the war.

Consequently it was a cause of extreme annoyance to him—and he made complaints on the subject—that the Pope informed the Swiss of the alliance between himself and the Emperor, in which the recovery of the apostate members to the obedience of the Catholic Church and to submission to the Council was laid down as the actual motive of the war, and invited their accession to it. The Pope was astonished at the Emperor's complaints, because the clause in question had been inserted in the compact at Charles's own request, and because nobody who saw the apostolic legate in attendance on the Emperor with so large a body of troops could be hoodwinked, by allegation of political reasons, as to the true object of the war.

Charles imagined that he was displaying skill in tactics by this attempted dissimulation as to the real reasons of the war.

'Even if this subterfuge,' he wrote on June 9 to Queen Maria, 'does not altogether prevent the renegades from thinking that religious questions are at stake, it will at any rate serve the purpose of dividing them; they will at least hesitate to join forces with Saxony and Hesse.'[1] He spoke more plainly in his private letters to his son Philip. 'Although, as you are aware,' he wrote to the latter on August 10, 1546, 'my aim and object was and is to prosecute this war for the

[1] Lanz, *Correspondenz*, ii. 491.

restoration of the Catholic religion, I nevertheless caused it to be announced and proclaimed, because this course seemed advisable at first, that my motive was to punish my refractory subjects, above all Hesse and Saxony.'[1]

But by his silence as to all religious motives in pronouncing the sentence of the ban Charles exposed himself to the charge of inconsistency with his previous behaviour towards the outlawed princes.

Saxony and Hesse in answering him could adduce that the Emperor, by his friendly declarations and tokens of favour to them since the perpetration on their part of these possibly ill-advised actions, had given them to understand that they were in some measure forgiven and restored to favour; and since the last Diet at Spires, when he had assured them both of his good-will towards them, nothing had happened to occasion so great anger on his part. Their absence from the Imperial Diet was not in itself sufficient reason for the Emperor's behaviour towards them; for they had excused themselves for their non-attendance and had sent representatives. The real ground of the proceedings, which, however, the Emperor was silent about, was 'the true Christian religion,' they said, 'and their obligation to propagate it.' By this sentence pronounced against them, in opposition to all the rights of the Empire as well as to the imperial capitulation oath, 'Charles, who called himself Emperor,' had forfeited all imperial dignity.

Without any proof of their charges they went on heaping accusation after accusation on the Emperor.

In a written document drawn up by order of Brück,

[1] Maurenbrecher, *Karl V. und die Protestanten*, Appendix, p. 47*.

Chancellor to the Saxon Elector, it was declared that 'the Emperor, from the very commencement of his reign, had turned all his thoughts to transforming the Empire into an hereditary monarchy and reducing it to perpetual servitude; and that he had aimed at crushing the freedom of the German nation under pretence of punishing the destroyers of the true Christian religion. The edict of Worms itself had been directed against God and against the imperial office, which Charles was bound to exercise for the protection and defence of the true worship of God, and not for the maintenance of unchristian doctrine and open idolatry. Tyranny and oppression of this sort, the work of the evil spirit, must at all costs be withstood. They had learned from trustworthy sources that the Emperor was in conspiracy with the Turks, the invaders of Germany, to exterminate all the Protestants, while the followers of the Pope were to be spared.'[1] The Emperor had made an agreement with the Pope, and had given orders, wrote Bugenhagen, 'the Apostle of the North,' to the King of Denmark, that not only all the adult Protestant population but even all children of two years and upwards were to be massacred. 'To this intent they have been conspiring together for many years.'[2]

'The lamentable extent to which all sense of reason and moderation had disappeared, and the unhappy people had been stirred up to hatred and discontent by the preachers and others, was conspicuously shown in a pamphlet which George Major, preacher and doctor of theology at Wittenberg, published under the advice

[1] Hortleder, *Rechtmässigkeit*, pp. 442, 450–453.
[2] Döllinger, *Reformation*, ii. 142.

and approval of other Wittenberg divines. It was destined, according to the author's preface, 'to keep all manner of things alive in the memory of pious hearts.'[1] Chancellor Brück thought it 'most Christian and excellent reading,' and sent sixty copies to a son of the Elector of Saxony, remarking that 'your gracious Lord and Father will be delighted to see and to read this little book.'[2]

This 'Christian booklet' bore the title 'Sentence of the Ban pronounced by the Eternal, Divine, and Almighty Majesty against the Emperor Charles and against Pope Paul III., the Devil's Vicar in Rome.' Emperor and Pope, so the book stated, had 'risen up against the Divine Majesty with criminal audacity and presumption, and hence had long deserved to be cast alive into the fire of hell, which burnt with brimstone.' They had 'drawn the Estates and subjects of the Empire into conspiracy with intent to destroy the German nation by fire, sword, and poison.' The Emperor, like Herod and Nero, 'was the servant and magistrate of the devil.' 'Whosoever, therefore, withstands this authority, which abolishes true divine doctrine, worship, discipline, honour, peace, and unity, and persecutes the righteous, while it upholds false teaching, idolatry, adultery, anarchy, robbery, and all wicked people, such a one is not opposing God's ordinances but the devil's.' 'Under the devil's banners are ranged Cain, Pharaoh, Ahab, Antiochus, Herod, Annas, Caiaphas, Judas, Pilate, Nero, Maxentius, Mahomet, the Turks, the Popes, the bishops, the monks and the priests, and last of all the Emperor

[1] Hortleder, p. 123. Major's letter to the Elector of Saxony, dated Wittenberg, Tuesday after Michaelmas Day, 1546.

[2] Hortleder, p. 123.

Charles.' Whoever serves the Emperor is a servant of the devil. Moreover it was not enough now to remain neutral; for if all hands did not help in the protection of divine laws and ordinances 'the temporal power would become nothing less than diabolical tyranny, like the government of the Turks.' [1]

[1] Hortleder, pp. 124–136.

## CHAPTER II

WAR ON THE DANUBE AND IN SAXONY — THE ROUT AT MÜHLBERG — PHILIP OF HESSE TAKEN PRISONER, 1546–1547

After the capture of Donauwörth the army of Southern Germany, well equipped and provisioned, and entrenched in its camp, awaited, full of hopefulness, the arrival of the Saxons and Hessians, intending on the spot to strike a decisive blow, and, as the Esslinger delegate expressed himself on August 2, 'to sweep the papal Antichrist from the face of the earth.' On Schärtlin's banner was inscribed the jeering question: 'What has become of the Emperor?' On August 3 and 4 the Elector of Saxony and the Landgrave of Hesse came up with their troops, and the collective forces of the League now counted nearly 30,000 infantry, 46,000 cavalry, and about one hundred pieces of artillery.[1] The heads of the League divided the command between them; Heideck, with the Würtemberg forces, was under the Elector, Schärtlin, with the troops of the imperial cities, under the Landgrave.

[1] 'Si ex copiis judicare volumus,' wrote Melanchthon, 'certe imperator succumbat necesse est, adeo enim, ut quidam existimant, nostri principes instructi sunt, ut iis nemo resistere possit. Si vero astra hac in re consulantur, certum est, quod imperatori magis quam nostris faveant.' *Corp. Reform.* vi. 184. The strength of the Smalcaldic forces is given according to the calculation of Le Mang in his narrative of the Smalcaldic war, *Denkwürdigkeiten Karl's V.* i. 25, note 7, and p. 61, note 1.

'But almost at the outset want of unity, insight, and valour became apparent among the members of the League, and also a dearth of the necessary funds, for the ecclesiastical booty and the contributions levied on abbeys, priests, and Jews did not suffice.' 'The confederates fell a prey to a disease which has been called the disease of Demosthenes, or cupidity. It spread to such an extent throughout the camp that not only were the Landsknechts heard unceasingly crying out, "Money! money!" but many of the most distinguished cavalry officers and others did not scruple to say out loud that they were serving for money, that money they would have, and if they did not get it at once they would leave the field.'[1] Such behaviour was scarcely consistent with the device on their banners: 'With God, for the Fatherland!'

The Princes of Saxony and Hesse brought no money with them, as they thought they were doing enough in contributing their armies to that of the Oberland. The imperial cities, which were to supply the funds, 'became more and more mercantile and miserly.' At first their imagination revelled in the speedy possession of episcopal States and other possessions of the 'Pfaffen,' and each was fearful that the avarice of the others would defraud it of its fair share of the booty; but when they saw that instead of sharing in booty there came a demand for money to defray the expenses of the war the town councillors shrugged their shoulders, and began to think that the word of God was entirely too high-priced, and that they would have done better to stay at home and come to terms with the Emperor, who after all had never been a hard master, and had never really suppressed

[1] Lanze, ii. 204.

the word of God, as he was now accused of having done. 'We have made our bed, and we must lie upon it,' wrote Besserer, the military councillor of Ulm, on September 1 to the members of the town council of Ulm. 'But money we must have or our cause is lost.' 'With unpaid, unclothed, disaffected soldiers,' nothing can be carried through. Neither the Saxon nor the maritime towns, neither Pomerania not Lüneburg paid their contributions.[1] Hermann, Archbishop of Cologne, left his fellow-confederates in the lurch, published the threatening letter sent him by the Emperor, in which it was forbidden under severest penalty to lend any help to the enemy, and gave orders that this letter should be strictly obeyed. King Christian of Denmark, 'who had been lavish in promises, showed himself to be almost a rascal.' 'His money was scanty,' and the hopes placed on his preparations had been idle. 'The King of Denmark is not equipping at all,' wrote the town council of Brunswick on August 15 to that of Frankfort-on-the-Main.

'There was a want of unity between the commander-in-chief, John Frederic, and Philip;' the excitable temper of the latter did not agree with the stubbornness, slowness, and indecision of the Elector. 'You know the Elector,' Philip had written years before to his chancellor, 'and what sort of a man he is; wherever he can't have a finger in the pie he throws every imaginable obstacle in the way, so that nothing may be accomplished.' Now he complained of him: 'When we wanted to fight he would not; when we should have been glad to see all hands joining together

[1] Philip of Hesse to Ulrich of Würtemberg, Oct. 19, 1546, in Rommel, *Urkundenbuch*, p. 161.

in the cause, he would not agree; when we were of opinion that relations should be kept up with the Emperor he thought differently; when we wanted one of the generals to govern in the field, and the other to rule the affairs of the Chancellery and the Council Board, again he differed from us. And so there was no good in having two commanders.'

At an early stage in the proceedings the imperial cities became discontented with the manner in which the war was being carried on.

'By the capture of the defile of Ehrenberg, and by the invasion of the Tyrol,' wrote the town of Memmingen to Ulm, 'they have kindled a great fire; but they have gone away, leaving the fire to burn behind them, and leaving the imperial troops a free passage to Ratisbon. They placed their troops where they could not be used, and they only displayed courage against monasteries and Jews, out of whom they squeezed money. The leaders also soon began to quarrel over the booty.' 'As soon as things began to go favourably,' wrote Schärtlin von Burtenbach respecting the expeditions for booty and conquest on the Danube, 'Duke Ulrich of Würtemberg came on the scene and wanted to have for himself alone Dillingen, Burgau, and the margraviate of Burgau; but Zusameck with the Reichenau I would not give over to him. And if the war had ended fortunately for us Würtemberg, Augsburg, and Ulm would also have been at loggerheads.' [1]

'The whole chances of the war for the confederates depended on a swift defeat of the Emperor, before the papal auxiliary troops from Italy and the soldiers recruited in Hungary and the Netherlands could have

[1] *Lebensbeschreibung*, p. 98.

time to come up. But instead of promptly making a charge the Smalcald confederates employed themselves in discussing the plan of a campaign and the terms of a manifesto to be sent to the Emperor. Schärtlin advised that the armies should make themselves masters of the towns of the Danube and all the districts on the Inn and the Isar, cut the Emperor off from Landshut, devastate the whole of Bavaria with fire and rapine, and ruthlessly destroy all the small towns and boroughs. Another experienced Saxon officer also advised the Elector to concentrate his forces on Bavaria: 'when Bavaria is reduced you will have no more opposition anywhere in Germany; there is no better way of humbling your enemies and bringing them to the "rope."'[1]

The irresolute tactics of the Smalcald confederates were in great measure due to their want of certainty as to the attitude of Bavaria. The Venetian envoy Mocenigo rightly emphasised the great advantage to the Emperor, both strategically and politically, of the secrecy of his alliance with Bavaria. 'Charles V. did not wish Bavaria to declare itself openly as the enemy of the Protestants,' remarked the above-mentioned envoy. 'The ruse proved as useful to the Emperor as it was ruinous to the antagonists not to have seen through it. For had the Duke proclaimed himself openly the enemy of the Protestants the troops which at the outset entered the field in great force could easily have pushed into Bavaria and taken possession of its towns and fortresses and all its provisions. The Emperor would then have had no convenient place left him for collecting his army; he would have been

[1] Hortleder's *Rechtmässigkeit*, 427, 430.

obliged to do it at a great distance from the enemy, and then for want of provisions he would not have been able to advance further. But as it was the Emperor was able to assemble his army most conveniently in Bavaria, and then for four months, during which time he was halting in the country or close on its frontier, he could in great measure maintain his troops on the resources of this land alone.

Before the members of the League had come to a decision the Emperor had left Ratisbon with twelve companies of Spaniards, who had till then served in Hungary, and contingents of German troops which the Margrave Albert of Brandenburg-Culmbach, the Grand Master of the Teutonic Order, Wolfgang Schutzbar, and other generals had supplied to him. On August 12 he effected a conjunction at Landshut with an army of 11,000 men contributed by the Pope and by Florence and Ferrara, under the command of Octavius Farnese, Captain-General of the Roman Church. German soldiers from different districts flocked also to his standard, so that in a short time the Emperor had at command an army of 34,000 infantry and 5,000 cavalry. Charles conducted all his undertakings with circumspection and decision. 'His Imperial Majesty,' wrote the Swiss Doctor Jörg Part from the camp, 'receives the Sacrament every day at dawn, and day and night he personally directs all business.'[1] On August 26 he took position in a fortified camp on the plain in front of the Bavarian frontier town of Ingolstadt.

Already in July the confederates of Smalcald had received secret information through the French King

[1] *Newe Zeitung aus Kaiserl. Majestät Lager vor Ingolstatt*, September 1546; archives of Lucern, fasciculus, 'Deutsche Reichskriege.'

that Duke Ferdinand of Alba had advised the Emperor not to engage in a pitched battle with the Protestants, but to drain their resources by procrastination and negotiations. The confederates found, to their bitter cost, that Charles profited to the full by Alba's advice. On August 28 they pitched their camp in the neighbourhood of Ingolstadt, fired on the town and the imperial camp, but did not venture an assault. In this way they let victory slip out of their hands and threw the moral ascendency on the Emperor's side.[1]

Instead of fighting the Smalcaldians again had recourse to a policy of writing. On August 30 the heads of the League had addressed an exhortation to all the Christian believers in the Augsburg Confession of the following extraordinary contents: 'The Antichrist at Rome, at the instigation of the wicked one, has resolved on exterminating them all with the sword. Not content, however, with such a murderous and bloodthirsty programme, he has issued a decree that all the wells, fountains, and other bodies of stagnant water in Germany shall be poisoned, in order that by joint malice of Emperor, Pope, and Devil the slaughter of man and beast may be accomplished.'

On September 2 they sent the Emperor a fresh letter of defiance, with the insolent announcement that they were stationed outside the camp awaiting the enforcement of the fulminated ban. 'In case, however, you and those who are with you should not present yourselves to carry out your threatened punishment we shall all of us be driven to think that your reason for holding back is that whereas under pretence of

[1] Criticism of Riezler (*Bayerische Politik*, p. 211), who compares the bombardment before Ingolstadt with the cannonade of Valmy.

obedience to God's word and our Christian religion you have forgotten your vows made to God, your Lord and Creator, at your baptism, and have also violated your oath to the whole German nation, God has visited you with especial chastisement, and that you have not sufficient noble and princely German blood and valour on your side to give you strength and courage to carry out the threats which you have launched against us.' [1]

'This letter caused the greatest pain to the Emperor,' says the Lutheran Sastrow, 'and it also did great injury to the Elector of Saxony and the Landgrave of Hesse, for throughout the whole of Germany the innocent with the guilty had to expiate this offence.' 'On September 4 they marched away from Ingolstadt. As they meant to take themselves off, they might have spared themselves the trouble of sending this letter, which indeed was not written by man, but by Lucifer himself with the characters of hell. This letter cost the German nation tons of gold, the lives of many thousands of citizens, and the shame and dishonour of multitudes of women and girls, all which might have been spared had the letter remained unwritten; they challenged the Emperor with it, and then they ran away.' [2]

The Smalcaldians had retired from Ingolstadt by a backward route through Donauwörth towards Wemding, with the intention of cutting off from the Emperor access to the Dutch troops under Count Maximilian von Büren. But in this stratagem also they were not successful. On September 14 Büren united his troops

[1] Hortleder, *Rechtmässigkeit*, 420; B. Sastrow, *Herkommen Geburt und Lauf seines ganzen Lebens*, i. 428–430.

[2] Sastrow, i. 430. 'As this letter,' he adds, 'was found to be the occasion of great disgrace and mischief, either it never came into Sleidan's hands or he deliberately passed it over in silence.'

to the imperial army at Ingolstadt, and Charles was in a position to take the offensive with 50,000 infantry and 14,000 cavalry. By the conquest of Neuburg he obtained the mastery of the Danube and transferred the war from Bavaria to Suabia.

The confederates placed all their hopes on foreign help, but in this respect too they met with bitter deception.

Philip of Hesse's four successive applications for help to the King of Denmark met with no response. The Kings of France and England also proved themselves less amenable than the confederates had hoped. On August 21 the Dauphin Henry offered to enter into alliance with them, and inquired of them on what conditions this could be arranged. When the Strasburg delegate, Johann Sturm, was at the French court at the end of August, the King himself asked what the terms of treaty would be, and the Duchess d'Etampes, the King's mistress, informed the delegate that Francis I. was ready to conclude an offensive and defensive alliance with the confederates of Smalcald, on condition that they would depose Charles and elect the Dauphin Emperor.[1]

At the end of September the chiefs of the League negotiated with a French delegate 'an amicable agreement and treaty,' of which the principal stipulations were that the King of France should immediately, or at latest in the spring, make an attack on the Emperor in Milan, and that he should do his utmost to persuade Henry VIII. of England to attack him simultaneously in the Netherlands, while the Swiss were to march upon him in the Tyrol, Burgundy, the Sundgau, and the

[1] Schmidt, *J. Sturm*, p. 66.

Breisgau, retaining possession of all their conquests in these territories. In order to facilitate to Francis I. his enterprise against Milan, Saxony and Hesse were at the same time to invade Holland, Guelders, Brabant, and other imperial dominions. They were to turn their efforts especially to conquering as much territory as possible in Flanders, so that the King might recover 'his rights' there. The imperial vicariate over Italy and the German territory on the left side of the Rhine was to be transferred to the King. If God gave them victory, the Smalcald confederates were to try and prevail on the other Electors and princes to have another Emperor elected. The King, on his side, pledged himself to pay 100,000 crowns per month as long as the war lasted; and in return for the promise of the confederates to facilitate his operations against Milan and help him in the recovery of his rights in Flanders by attacking 'the aforesaid places of the German nation,' also to propose the election of a new Emperor, to bestow the vicariate on him, and not to conclude any treaty without his and the Dauphin's consent, he, Francis I., agreed to pay them down at once 300,000 crowns for their present war. To the Council of Trent the King would not agree, but he would recommend the holding of a free council in Germany. This treaty was to last for four years.[1] With a view to further negotiations on the subject Sturm was sent again to France, but, owing to the exhausted condition of the King's treasury, no settlement was effected.[2]

While Francis I. was continually making new overtures of peace and friendship to the Emperor he

[1] Baumgarten's *Schmalkald. Krieg*, pp. 61–65.

[2] Baumgarten, pp. 65–69; Schmidt, pp. 66–67.

was at the same time inciting the Sultan, with whom Charles had concluded an armistice, to fresh war, and in October he set about to organise with England, Denmark, Venice, and also the Pope a great coalition of the European States against the Emperor.

No less deceitful was the policy of Henry VIII.

He took the Landgrave of Hesse into his 'friendship and service' at Philip's own request, and guaranteed him a salary of 12,000 florins in return for a promise of cavalry and infantry troops in time of war.[1] He also carried on active negotiations with the Smalcald confederates respecting a defensive alliance, though at the same time he revealed to the Emperor the whole network of hostile plans formed against him and betrayed to him also the intrigues of the French King.[2]

At the beginning of October the Emperor had succeeded in enticing the confederates out of their strong position at Donauwörth. Donauwörth was taken by storm on October 9 by a division of the imperial army, and after the capture of the towns of Dillingen and Lauingen the bishopric of Augsburg was wrested from the enemy. The confederates, irresolute and destitute of plans, under the command of generals at strife with one another, loitered about hither and thither for a long time, and then remained for six weeks inactive in a camp at Giengen, to the utter despair of Schärtlin, who again and again urged them to make a bold assault. Charles, in his camp at Lauingen, did not allow himself to be drawn into battle. 'The

[1] 'Thanswer of the Kinges Majeste unto,' &c. *State Papers*, ii. 280–281. Concerning Philip's English pay see Mont's letter of Dec. 15, 1546, p. 371, and Rommel, ii. 477.

[2] Baumgarten, *Schmalkald. Krieg*, pp. 72–75, 80,

Emperor always chooses his position so advantageously,' wrote Ahasuerus Brand from the camp at Giengen, 'that one cannot get at him without great danger. It is a war which everybody is growing weary of. We are leading such a life with eating, drinking, blasphemy, and debauchery that unless God preserves His elect by special grace it will be no wonder if we are punished for our sins.'[1] 'They gorged and they soused,' wrote later on Theobald Thamer, who had been with the army as field preacher to the Landgrave, 'they gambled and caroused, they quarrelled and swore and blasphemed to such an extent that I think the devil in hell could not have invented such execrable curses against God and His dear Son Christ. They robbed and plundered the poor people of the land, friends as well as foes. In short, there was nothing from morning to night but sins and abominations which were nothing short of diabolical. I was grievously distressed within me, and in my sermons I exhorted them most earnestly, reminding them that we called ourselves evangelical, and that we ought to be like good seed from which other Christians might grow up and attain to the right faith; but if the seed was of such a degenerate kind what would the fruit that sprang from it be like? But one swore at me; another jeered at me, calling me a fool and a chatterbox; a third shot at me with my own arrows, saying: "You yourself teach us that men can do nothing good, nothing which can justify them in the sight of God; and that it is only by the merits of Christ, which are reckoned to our account through faith, that we can be saved and become children of God."'

Terrible epidemics broke out in both camps, and the

[1] Voigt, *Albrecht Alcibiades*, i. 129.

imperial troops, as well as those of the League, devastated the land far and wide and committed all manner of crimes and atrocities. The Emperor himself one day belaboured the rapacious Spaniards and Germans with his club, pierced some of them through with his rapier, and ordered several of them to be hanged.

Already in September the Elector of Saxony had several times expressed his intention of returning home, 'from fear of the Duke Maurice and on account of a strong hankering after the bishoprics of Magdeburg and Halberstadt.'

Up till October Maurice had maintained a dubious attitude. He had surrounded himself, the Elector wrote, 'with lies and frauds and malice of all sorts.' 'In order to win him over to the Smalcalders, Elizabeth von Rochlitz, sister of Philip of Hesse, had suggested to him in August that he could easily become king of Bohemia. 'We have no doubt whatever,' she wrote to him on August 25, 'that, since you have strong claims on the country, you might be fully as acceptable to the Bohemians, and become as dear to them, as the present King.' The decisive change in the policy of the hitherto neutral Maurice was caused by King Ferdinand's announcement of his firm resolution to march into the Saxon Electorate from Bohemia and take possession of the land for himself. Thereupon Maurice resolved to seize the territory of the outlawed Elector for himself, and thus to be beforehand with every other competitor.[1] On October 27, the same day on which the Emperor, by a solemn decree, conferred on him the title of Elector of Saxony, he sent his cousin a declaration of war,

[1] Brandenburg, *Moritz von Sachsen*, i. 485–492.

saying that he was bound to interfere for the maintenance of the rights of the House of Saxony, and to prevent the electoral lands from passing into the hands of strangers: when once his troubles with the Emperor and King Ferdinand had been settled he (Maurice) would comport himself towards John Frederic and his sons according to the dictates of duty and equity.[1] After an agreement had been arrived at between Maurice and Ferdinand respecting the districts of the Electorate held by John Frederic in fief from the Bohemian crown the royal and ducal troops at once fell upon the Electorate. As if by magic the whole land was conquered almost at one swoop; with the exception of Wittenberg and Gotha all the strong places fell into the hands of the Duke. A salvo of guns from the Emperor's camp announced to the Elector on November 8 the loss of his electoral dominions.

It was not this auspicious event, however, which ended the war in the south, but the scarcity of money among the Smalcald confederates.[2] Without fighting a single battle, without as much as an encounter even, the Emperor became conqueror and master of the field.

'We had no money left,' wrote Philip of Hesse later on; 'the promised French crowns did not arrive; Würtemberg and the towns could and would give nothing; neither would they tolerate our presence with soldiers in their districts. Saxony and I had no money; therefore we were obliged to withdraw.'[3]

[1] Voigt, *Moritz*, pp. 182, 191–192, 207, 257.

[2] Brandenburg, *Moritz von Sachsen*, i. 500 ff., where the over-estimation of the influence of this Saxon episode on the issue of the war is controverted.

[3] Rommel, *Urkundenbuch*, pp. 262–263. Before the army of the Smalcald League broke up at Giengen on November 22, 1546, and John

With 2,000 cavalry the Landgrave hurried back home through the Würtemberg district, 'back to his two wives,' as Schärtlin scoffingly remarked. It was reported of him that he had said that 'if all was lost he should raise an insurrection of the common people and bring on a "Bundschuh."' At Frankfort, so said a trustworthy informant, he had ordered the manufacture of a large number of banners, on each of which were to be painted two flails, a plough, and other peasants' instruments; all this was done to stir up a new peasant war, or an insurrection of the common people.

The Saxon-Hessian army on its departure on November 22, said the town council of Ulm, had caused the poor inhabitants of the town more injury and ruin by their plundering and other enormities than they had suffered from the Spaniards. 'In consequence of all this and of the behaviour of Saxony towards the imperial city of Gmünd, which was on friendly terms with Ulm, the common people were so much incensed that they had very little affection or loyalty left for the princes.' The princes, wrote Ulm to Constance, 'first of all emptied the purses of the nobles of the South, and then, in spite of their promises, they took away with them the infantry and cavalry troops provided for their winter campaign, and have nevertheless left the enemy at our door.' Philip of Hesse, on the other hand, laid the chief blame of the disaster on the towns.[1]

Frederic of Saxony and Philip of Hesse set out on their way home, the Landgrave endeavoured to extort an armistice or peace. But the Emperor insisted that both the princes should surrender unconditionally. Charles V. put no faith in the promises of the Landgrave and had not forgotten the latter's arrogant presumption. See Turba, *Verhaftung des Landgrafen*, p. 5, note 1, and Turba, *Verhaftung u. Gefangenschaft des Landgrafen*, pp. 4 ff.

[1] Letter to Bucer, March 19, 1547, in Lanz, ii. 487.

The Elector of Saxony on his way back 'performed certain military exploits which savoured of brigandage.' At Gmünd, so the council of Constance informed Zürich on December 4, besides ransacking the treasury of the council and carrying off a keg of gold, John Frederic took all the cash, jewels, and other effects belonging to the well-to-do Catholic burghers. He also robbed the cloisters and the clergy and emptied the churches of their chalices, monstrances, vestments, and so forth.

Similar depredations were committed at Aschaffenburg by the Saxon army on its march homeward. The commanders gave their word of honour that if the gates were opened to them they would march through peaceably and pay for the food of their troops; but scarcely had they been let in when they demanded a contribution of 40,000 florins; and when objections were made they set the soldiers on to plundering the houses of the clergy, the town officials, and the wealthier burghers. The Church of the Holy Sepulchre and the convent of the Beguines were completely looted, and the Beguines were most shamefully maltreated. Still more execrable were the atrocities committed in the open country. When the burgomaster of Aschaffenburg represented to the Elector at Frankfort that his army was on neutral ground (for the Elector of Mayence had taken no part in the war), he was answered that 'in a papistical country nothing was neutral.' From the Abbot of Fulda the Elector extorted 30,000 gold florins, from the Elector of Mayence 40,000, and the same sum from Frankfort, although this town was friendly to the League. The house of the Teutonic Knights at Sachsenhausen was ransacked.[1]

[1] Kriegk, *Geschichte von Frankfurt*, p. 216.

'In military deeds of this sort,' said the sheriff of Frankfort, Johann von Glauburg, 'the Elector excelled; but other exploits, such as might have been expected from valiant princes who were defenders of the Gospel, we looked for in vain. It was the same with the Landgrave of Hesse, who boasted so greatly of his prowess.' When Philip was at Frankfort at the beginning of December, and the council addressed him on the subject of help for the town, he answered: 'Each fox must take care of his own skin.'

After his return to Saxony the Elector at once recommenced 'his deeds of prowess.'

He had at heart above all things the possession of the bishoprics of Magdeburg and Halberstadt. On January 1, 1547, at the head of a large body of cavalry, he broke in upon Halle, the residence of John Albert of Brandenburg-Culmbach, Archbishop of Magdeburg, and exacted homage as sovereign lord. Chalices, monstrances, episcopal crosiers, and other costly treasures were, by his command, sent off to Eisleben, to be sold or coined. The Elector's Landsknechts, joined by the town mob, forced their way into the monasteries of the Dominicans and Barefooted Friars, maltreated and drove out the monks, smashed the altars and images of the churches, and robbed the monasteries of all the money which nobles and burghers from the neighbourhood had deposited in them. All the burghers who were known to be Catholics were pillaged and tortured. 'The president of the council, Querhammer, who was a good Catholic and had formerly written against Luther,[1] was stripped of his clothes and drowned in his own fountain.' The Elector treated the Archbishop like a prisoner of

[1] Döllinger, *Reformation*, i. 530–532.

war and compelled him to vacate the bishoprics of Magdeburg and Halberstadt in return for a yearly pension of 10,000 florins. His sovereign, said the Elector's Chancellor, 'had acquired possession of Halle.' On January 2, 1547, the town council of Magdeburg declared a feud against the cathedral chapter, and forthwith took possession of the cathedral, the collegiate churches and monasteries, and the houses of the clergy.[1] At the beginning of January Merseburg also was occupied by the Saxon troops. The leaders robbed the cathedral church of its oldest and most valuable art treasures, amongst others of the gold table which Henry II. had presented to it. The houses of the canons were also pillaged.[2]

After the departure of the Smalcald confederates the Emperor marched triumphantly through Lower Suabia and the adjoining territory of Franconia, and received the submission of the towns of Bopfingen, Nördlingen, Dinkelsbühl, Rothenburg on the Tauber, Hall, and Heilbronn. He not only abstained from all violent proceedings against the new religion and its followers, but granted the towns permission 'to abide by their existing religion.'

On December 22, 1546, Ulm sent delegates to the Emperor at Hall, who sued for grace on bended knee, and confessed 'that in taking up arms against him they had sinned against the Almighty Himself, and could only hope for mercy because for Jesus Christ's sake all sins, even the most heinous, would be for-

[1] 'Städtischer Bericht über die Besetzung Halle's,' in Dreihaupt, *Beschreibung des Saalkreises*, i. 240 ff.; Franke, pp. 178–186; Voigt, *Moritz*, p. 249 ff.; Brandenburg, i. 513.

[2] A. Fraustadt, *Die Einführung der Reformation im Hochstifte Merseburg*, pp. 200–201.

given.' Charles punished the people of Ulm by a fine of 100,000 gold florins, took from them twelve pieces of their artillery, and imposed on the town a garrison of ten companies of infantry. All the other towns also were constrained to pay, according to their means, considerable sums for the cost of the war. The town council of Frankfort was thrown into such consternation by the report of its delegate, Philip Ort, that 'the Emperor was more incensed against Frankfort than against any other town,' that they despatched a formal request to the Count von Büren, whom Charles had ordered with his troops to the Netherlands, begging him to come back and take possession of Frankfort in the Emperor's name. The council had all the more reason to fear 'the especial wrath' of the Emperor because the preachers in the town had vilified him from the pulpit and had printed and sold lampoons and caricatures ridiculing and slandering him. On January 7, 1547, a deputation from Frankfort threw itself at the Emperor's feet at Heilbronn and begged for mercy, saying that 'the town had let itself be led away with other towns, but would in future abstain from all such iniquitous proceedings.' The town had to pay 80,000 gold florins for its pardon, besides handsome bribes to the Chancellor, Granvell, and other imperial councillors. Granvell, 'to whom the management of affairs at his Imperial Majesty's court was almost wholly entrusted,' received a silver gilt goblet containing 1,000 gold florins.[1]

'And then there was nothing but fear, cowardice, ill-will, and quarrelling among the confederates, who had intended to plunder everything and everybody, and to drive out the Emperor with all his priests and to

[1] Kriegk, *Geschichte von Frankfurt*, pp. 223–224.

confiscate all their goods; and yet the Emperor had not fought a single battle against them. They had everywhere succumbed and collapsed of their own accord, as if they had been beaten by their own consciences. How would it have been if ten or twenty years earlier the Emperor had put his foot firmly down on the insurrectionary, disorderly proceedings of such princes and towns? All the discord, schisms, anarchy, destruction of churches, convents, schools, all the war and misery and oppressive taxation might well have been avoided. So long as the Smalcald allies had been suffered to go on confiscating churches, abbeys, and cloisters, helping themselves freely to gold and silver and goods and chattels, seizing unprotected lands like Brunswick, so long they were looked upon as omnipotent; they were mighty lions, and everything in the Holy Empire fell a prey to them. As soon, however, as the Emperor showed himself to be in earnest, and swords were drawn, it became at once evident that they were not lions that need be dreaded, but merely timid hares.'

At Hall the Emperor also received his cousin the Elector Palatine Frederic, who did obeisance to him with many expressions of penitence. 'It has grieved me most of all,' said Charles, 'that you should have gone over to my enemies in your later years, for we grew up together in youth.' But he was ready to forgive him, feeling confident that in any future extremity the Elector Palatine would act more in accordance with his duty.

Through the mediation of the Elector Palatine it was agreed to conclude a treaty with Duke Ulrich of Würtemberg, whose territory had been entered by the imperial troops, on the conditions that he would

support the Emperor in the enforcement of the ban against Saxony and Hesse, that he would abandon the League of Smalcald, pay a sum of 300,000 florins for the war expenses, and make over his fortress castles of Hohenasperg, Schorndorf, and Kirchheim to the imperial troops as security. It was further stipulated that he should satisfy any claims which King Ferdinand might have against him, and, finally, that he should in person fall at the Emperor's feet and beg forgiveness. Ferdinand would have much preferred that the Emperor had restored the duchy to the House of Austria; for, he urged, Würtemberg was, as it were, in the very heart of Germany, and the holding of it was the most efficacious means of maintaining peace and tranquillity in all the other German territories; the hostile conduct of Ulrich and his son furnished ample justification for such a proceeding, the more so as no reliance could be placed on either of them as to his future behaviour.[1]

Ulrich was generally detested in his own country. 'Nobody is loyal or attached to the Duke,' the Esslingen delegates had written a year before the war. 'All men cry out against him, and it seems to us that his banishment and ruin are at hand.'[2] Now, after the events of the war, the imperialist feeling of the people became plainly evident. 'The Würtembergers,' says the writer of a letter, 'would gladly be imperialists; I hear that they are by no means loyal to their Duke. The nobles wish to be entirely dependent on his Imperial Majesty. The peasants everywhere hang white cloths with red Burgundian crosses out of their windows, to show where their affections are placed.'

But the Emperor did not accede to Ferdinand's

[1] Bucholtz, v. 546–548.

[2] Heyd, iii. 313.

wish respecting the deposition of Ulrich and the seizure of his territory, for the war with Saxony and Hesse was not yet at an end, and danger was to be apprehended from the King of France and the Swiss. He wrote to his brother, however, that what had specially induced him to conclude this treaty with Ulrich was the desire not to swerve from the actual object of the war, which he had undertaken for the glory of God and the restoration of imperial and royal authority in Germany, and also 'that it may not seem as if we were seeking our own advantage, a reproach which might easily be incurred, considering the jealousy always entertained towards the House of Austria.'[1]

The Elector of Saxony was highly indignant with Ulrich on account of his treaty with the Emperor. 'If he was stuck in the pillory,' he wrote to Philip of Hesse, 'the Duke could not have signed a more disgraceful, godless treaty.'[2] From Ulrich's court the comforting message was sent to Constance that it was hoped that the agreement with the Emperor 'would be more damaging than profitable to the devil's crew;' 'the Duke was persisting determinately in his Christian resolution.' The Landgrave of Hesse endeavoured to incite the Duke to a fresh rising, but Ulrich backed out with the remark 'that he could not speak because his mouth was gagged.'[3]

[1] '. . . et qu'il ne semblat, que nous tachissions a nostre interest particulier, avec lenuye que lon a tousjours heu a notre maison Daustriche.' Bucholtz, *Urkundenband*, pp. 403–407; Lanz, *Correspondenz*, ii. 524–528.

[2] Rommel, *Urkundenbuch*, p. 198. Under incredibly ignominious conditions, Calvin wrote to Farel on Feb. 20, the town had submitted to the Emperor, 'sed omnium turpissimus Wirtebergensis. Haec scilicet *tyrannorum* merces.' *Calvini Opp.* xii. 479.

[3] Letter of the French ambassador, Lacroix, from Cassel (March 17, 1547) to Francis I. Ribier, i. 632.

From Heilbronn the Emperor proceeded on January 18 to Ulm, stopping on the way at the imperial cities of Lindau and Esslingen to bestow his pardon on them. An attack of gout obliged him to make a protracted stay at Ulm, and while there he received the submission of the town of Augsburg, which was obliged to pay 150,000 florins and to consent to being garrisoned by imperial troops; its general, Schärtlin, who urged continuance of the war, was compelled to flee from the town. 'In this war,' he writes, 'I realised 30,000 florins in pay, presents, and booty.' [1]

'His Majesty,' wrote the Ulm delegates to Augsburg on January 31, 'has no designs upon our religion, but stands to his manifesto and concessions; and he has no grudge against any particular Estate, and is only anxious for a reasonable and peaceful reformation; he will see that no prejudice is done to religion.' [2] Four Zürich preachers who, in 'obedience to their council, had gone to Augsburg to proclaim the free unfettered word of Christ,' begged the council to recall them. For 'it was against God and their consciences' to obey the order enjoined on them to offer up public prayers for the Emperor, since the Emperor was 'the true Antichrist's defender and protector,' but they were 'servants of Christ' and could not 'wear the sign of Antichrist

[1] *Lebensbeschreibung*, p. 151.

[2] Herberger, cix. On Jan. 15, 1547, the English ambassador Thomas Thirlby, bishop of Westminster, wrote from Heilbronn to Henry VIII. that Granvell had said to him: 'I assure you thEmperor never mindid other in thies warres, but to repress thaudace of theym, that wolde have been tyrannes in Germany, and to bring thEmpire in good order of justice; and nowe' (said he) 'thies Cities and States, which hathe bene otherwise persuaded of Him, begynne to knowe the same, and shall do every day more and more; and nowe therfor they be come yn and rendred.' *State Papers*, ii. 408. See also *Venetian Despatches*, ii. 142.

on their foreheads ; ' it was contrary to the duty of their office ' not to speak evil of the Emperor,' as they had been commanded by the magistracy of Augsburg.

On March 4 Ulrich came from Würtemberg to Ulm to beg the Emperor's pardon in person. As he was suffering from an attack of gout, he was carried in a chair to the Emperor's throne. He took off his biretta and held it down to the ground. His councillors, in his name, repeated a sorrowful confession of sins with heartrending entreaties for forgiveness. When Charles released the Duke from the obligation of prostrating himself before him Ulrich broke out into personal utterances of gratitude to the most exceedingly gracious sovereign who had had pity on his age and infirmity.

Meanwhile in the archbishopric of Cologne also the whole order of things had been restored by imperial delegates. The excommunicated Archbishop, Hermann von Wied, found himself compelled, on February 25, 1547, to resign his office. His successor, nominated by the Pope and installed by the Emperor, was Count Adolph von Schaumburg, who swept away all the religious innovations and consigned to oblivion the scheme of Church government devised by Bucer and Melanchthon.

Strasburg also was obliged to give in. The town council had long hoped for help from France. In a supplicatory letter to Francis I. the councillors stated that the Emperor was most especially enraged with Strasburg, because this town had at all times been more favourably disposed and more serviceable to the French King than any other town. The possession of the town of Strasburg would be very advantageous to the Emperor in every future war against France ; it was,

therefore, to the King's own interest not to let it pass into the hands of Charles, and the council most humbly begged for speedy succour and for the sum of 70,000 or 80,000 gold florins.[1] In January 1547 Johann Sturm proposed to the council to ally themselves with the Swiss and to place the King of France at the head of their league.[2] He made the same proposal to the French Chancellor. But Francis I. only made vague indefinite promises, and Strasburg was reduced to the necessity of submitting. The council's delegates did obeisance to the Emperor at Nordlingen on February 19, and the town was received back into favour on the most lenient conditions: only 30,000 florins were exacted, and no garrison was imposed on it. Johann Sturm was inconsolable. A sum that would have been quite trifling in proportion to the means of France, he wrote to the French Constable, would have averted this great disaster from Germany; he specially lamented the fact that a firm alliance had not been cemented between Strasburg and France.[3]

Meanwhile John Frederic of Saxony and Philip of Hesse kept up persistent and active negotiations with Francis I.

They hoped to obtain help against the Emperor from the Turks. The King wrote to the Landgrave that he had received trustworthy intelligence that the Sultan intended invading Hungary in March with an even larger army than before. He himself, he said,

[1] '. . . supplient tres humblement au Roy tres-chrestien que son bon plaisir y soit avecquez secours et ayde hastive. . . .' The letter in *Calvini Opp.* xii. 436 (Calvin to Viret, Dec. 3, 1546), in which the hope is expressed that Francis I. would soon send the money.

[2] Schmidt, *J. Sturm*, p. 71.

[3] April 1547, in Ribier, ii. 3–5.

would be in the field by April 1 with the Swiss auxiliaries and other troops, besides 600 Landsknechts who, by the advice of the Landgrave, were to join him under the lead of a gallant German captain.

Philip expressed his gratitude to Francis for this promise: he was very anxious, he said, for the arrival of the Sultan, but feared he would not come in time;[1] if the King of France would afford him sufficient help to keep the war going till the arrival of the Turks, he would do all in his power to expel the Emperor from Germany. Philip, at that time, had already embarked on peace negotiations with the Emperor; nevertheless he assured Francis I. on March 13 that, 'whether he obtained peace or not, he should always be at the King's service, and if he found the Turks ready to "go ahead" he too would join in the work.'[2] On March 14 the Abbot of Basse-Fontaine wrote to Francis I. that the Landgrave had pledged his oath to him that if he concluded peace with the Emperor it would be under compulsion, entirely against his will, and that in course of time he would settle affairs in such a manner that all the world would recognise how little desire he had to be a servant of the Emperor. Let the King only send help as quickly as possible.[3]

Francis I., although 'already quite infirm and near to death,' still went on with his double-dealing policy of 'playing off one Power against another and setting them all by the ears.' He assured the Emperor on February 17 that he loved nothing so much as peace

[1] Extract from the answer of the Landgrave to the proposals of the King, Feb. 10, 1547, in Ribier, i. 624–626.

[2] Lacroix to Francis I., March 13, 1547, in Ribier, i. 624–626.

[3] Ribier, i. 631–632.

and tranquillity, and that he placed unlimited reliance on the Emperor's friendly intentions.[1] On the same day he sent instructions to his ambassador at the Elector of Saxony's court to do all in his power to keep up war between the Elector and the Emperor. He could not do him a greater service, he wrote, than to find means of hindering peace in Germany.[2] In answer to an appeal for help from the Elector of Saxony he offered, on March 21, an immediate sum of 200,000 thalers, which was to be payable at Hamburg: the Sultan, he said, was proceeding with his gigantic preparations for an advance on Vienna.[3] He sent the princes of the League the promised money, but the campaign he had announced for April 1 did not come to pass.

Restless in mind and body, tormented by qualms of conscience, a prey to the fear of death, he had for months past been moving backwards and forwards from one of his castles to another, seeking to drown remorse and disquietude in hunts and masquerades. On March 31 he was a corpse. What his predecessor Louis XII. had said of him had come to pass: 'This fat boy will ruin everything.' By his wars, his extravagant expenditure, his pomp and luxury, the maintenance of his mistresses, his passion for grand buildings, his senseless liberality to flatterers and courtesans, he had exhausted the resources of the country, heaped up an enormous national debt, and overwhelmed the people with taxes and imposts.

His successor, Henry II., 'went further still in the same footsteps.' In the very first days after his accession his mistress, Diana of Poictiers, appropriated the

[1] Ribier, i. 616–617. [2] *Ibid.* i. 609, 617, 618.
[3] *Ibid.* i. 628–630.

400,000 gold thalers which Francis at his death had bequeathed for the further support of the Smalcaldic League. 'The same immorality that had disgraced the court of Francis I. went on openly and shamelessly under the new reign. Unprecedented luxury and extravagance of every description continued to eat out the marrow of the people.' The credit of the court sank to such a low ebb that Henry II. was once obliged to mortgage his whole kingdom for a loan of 50,000 thalers, which loan was obtained with the greatest difficulty from the Canton of Solothurn.[1] For the prevention of peace in Germany and with the object of fomenting wars and schisms, Henry II. followed the same policy as Francis I. His 'dearest friend and ally' was the 'Grand Turk.'[2]

Whilst the Emperor, during the winter, was receiving the submission of the towns of the south, John Frederic of Saxony was continuing his war against Duke Maurice. On January 4, 1547, he left Halle and appeared before Leipzig with twenty-two efficient companies. By the capture of this town, abundantly stored with rich merchandise, he hoped to replenish his exhausted coffers. The beleaguered citizens became aware that the electoral forces were resolutely bent on universal plunder. They surnamed the Elector in derision 'the black Hans' or 'Hans of the Empty Pocket.' In

[1] Thibaudeau, *Hist. des Etats Généraux*, i. 424; Lacretelle, *Hist. de France pendant les Guerres de Religion*, i. 7, 70–81; Raumer, *Briefe*, i. 273; Albèri, *Vita di Caterina de' Medici*, pp. 262–264; Sugenheim, *Frankreichs Einfluss*, i. 111–112, 135.

[2] After his accession to the throne Henry II. wrote to Solyman, 'en qui tout honneur et vertu abonde, notre très-cher frère et parfait amy, Dieu vous veuille augmenter vostre grandeur et prospérité avec fin très-heureuse.' Ribier, ii. 43.

popular songs the fact was emphasised that his vocation of champion of the Gospel accorded ill with his plundering and burning. The three weeks' fruitless siege and bombardment of the town cost the Elector, in consequence of the winter cold and the plague that broke out in his camp, more than half of the soldiers he had brought with him from Suabia. Whilst he was lying before Leipzig Duke Maurice was equipping himself in the rear of his antagonist.[1]

At the request of King Ferdinand the Emperor had sent Maurice 2,000 cavalry and 5,000 infantry, under command of the Margrave Albert of Brandenburg-Culmbach. But on March 2 the Elector was successful in surprising the Margrave at Rochlitz. Albert was taken prisoner; his troops were compelled to give up their arms and baggage and to swear that they would not serve against the confederates for the next six months. The mining towns of Annaberg, Marienberg, and Freiberg opened their gates to the Elector. From the district of Lausitz he was reinforced by a number of hereditary vassals who had seceded from King Ferdinand; the Utraquist party among the Bohemian Estates entered into open negotiations with him respecting a military alliance, and held out to him the prospect of the Bohemian crown. Many of the Bohemian nobles adopted yellow, the Elector's colour, for themselves and their soldiers. All the military resources of Saxony were placed at his disposal. Some bold and adventurous policy might now have been expected from him; but he contented himself with proclaiming to the world that Maurice, with all his forces, was driven off and

[1] Voigt, *Belagerung Leipzigs*, pp. 233, 266–267, 298–299; Voigt, *Herzog Moritz*, p. 255.

discomfited, and with calling on France for help and begging the French King to expedite as much as possible the invasion of the Turks in the Emperor's hereditary lands, while he himself remained all the time inactive in his camp at Altenburg.

The defeat at Rochlitz determined the Emperor's advance against Saxony. In spite of his gout and against the advice of his physicians, who considered a cure at Ulm essential for him, he formed the resolution to hasten as fast as possible, with all his forces, to the help of his brother and Duke Maurice. It was known to him that the Bohemians were in revolt, that the maritime towns had sent aid to the Elector, that France herself was supporting the latter with money; and last, not least, that the French King was instigating the Sultan to invade Germany. For all these reasons he was anxious himself to strike the decisive blow, and by the defeat of John Frederic and Philip 'to restore peace and tranquillity in Germany.'

In the south Charles had managed to evade a fight, and, profiting by the want of unity and the impecuniosity of his opponents, had succeeded in wearying them out, and by means of skilful operations in obliging them to give in. But in Saxony he proceeded with great rapidity and with uninterrupted activity. In the Elector's camp, on the other hand, 'all was irresolution, neglect, and inertia.' On April 24 the imperial troops crossed the Elbe at Mühlberg. While the enemy's artillery was beginning to play, John Frederic was listening to a sermon, after which he sat down quietly to enjoy a meal. 'Although he was reigning prince of an Elbe country, the Elector,' said the Venetian Mocenigo, 'had no knowledge of the fords along

the river: he gave away the river to his enemies with scarcely a show of resistance, and was so slow in giving the signal for retreat that he could not avoid falling into their hands. If he had been half an hour earlier the Emperor could not have overtaken him.'

The action at Mühlberg, says Wilibald von Wirsberg, cannot rightly be called a battle, not even a skirmish. It was a rout during a scandalous flight. The imperial army lost only about 50 men, including those who died afterwards from their wounds. The Elector lost all his banners and the chief standard of the general; more than 2,000 foot and 500 mounted soldiers were cut down by the imperial troops; 21 pieces of artillery and 600 wagons laden with powder, munition, and baggage, were taken from them.

Charles summed up the victory over his enemies in the words: 'I came, I saw, and God conquered.' [1]

In plain and dignified language he says in his 'Memoirs': 'On the news that Duke John Frederic of Saxony was taken prisoner the Emperor charged the Duke of Alba to go and bring him to him, and the Duke brought him into the Emperor's presence. The Emperor delivered the Elector into the watchful guardianship of the said Duke, and surrounded him with a sufficient number of soldiers to keep him in safe custody.' [2]

[1] 'Vine, y vi, y Dios vencio.'

[2] When the Elector John Frederic was brought into the presence of Charles he began to beseech the Emperor to pardon him; but scarcely had he opened his lips with 'Most Gracious Emperor' when Charles broke in with the remark: 'So I am now a most gracious Emperor: how much better it would have fared with you if you had discovered this fact sooner!' When the Elector had concluded his prayer the Emperor dismissed him with the assurance that 'he should be treated as he had deserved.' See the *Venetian Despatches*, ii. 235 *sq.*, also Turba, *Verhaftung und Gefangenschaft*, p. 20 *sq.*

The Protestant Elector Joachim II. of Brandenburg expressed to the Emperor his 'special delight' and congratulated him heartily on having put the enemy to the rout at Mühlberg, and taken the chief offender prisoner. Joachim's court preacher, Agricola, held a solemn church service at Berlin on the news of the Emperor's victory. In former years he had taught the school children to say that 'the Emperor and the Pope and many wicked lords and princes have joined with the heathens and the bishops in German lands to persecute the Holy Child Jesus.' Now he declared in his sermon that 'God had delivered his enemy the Saxon into the hands of his Imperial Majesty. Just as God had worked a miracle for the children of Israel in the Red Sea, so He had done now for the pious Emperor, and had led him across the Elbe, so that he was able to vanquish his enemy.'[1]

At first, indeed, the Emperor had intended to treat the captive Elector 'as a perjured rebel who had incurred all the penalties of *lèse-majesté* and of violation of the *Landfriede*, and have him put to death by the sword;' but by the advice of the younger Granvell, the Bishop of Arras, and of the Duke of Alba, and on the intercession of some of the princes, he cancelled the sentence of death and concluded with the prisoner the Capitulation of Wittenberg.

Duke Maurice after the victory of Mühlberg had claimed, besides the electoral title and its appendages, most of the lands belonging to the Ernestine line. To this, however, the Emperor would not agree. Maurice was obliged to guarantee the children of the prisoner a yearly income of 50,000 florins and to make up this

[1] Kawerau, pp. 246–247.

amount by ceding to them a number of towns, boroughs, and districts, chief among which were Eisenach, Weimar, and Jena. It was further stipulated that after the demolition of the fortifications the children were also to receive Gotha and the fief of Saalfeld, belonging to the Bohemian crown. John Frederic renounced the dignity of Elector, consented to surrender his fortresses to the Emperor, and promised to remain at the court of Charles or of his son as long as it should please his Majesty.[1]

The Capitulation was signed by the Emperor and by John Frederic on May 19. Of the council and the religious question there was no mention in the document.

The victory of Mühlberg and the subjugation of the Elector threw the French court into extreme agitation; in its immediate circle there was no doubt but that Henry II. would declare war against the Emperor.[2] The King placed himself in communication with Schärtlin von Burtenbach[3] and charged the German general Sebastian Vogelsberger to levy ten companies of infantry in Germany. The French ambassador at Constantinople used every possible endeavour to bring the Sultan to arms. In a short time 12,000 German soldiers were at the French King's disposal, and he could have 24,000 more, it was rumoured at the French court; indeed he might count on the half of Germany.[4]

[1] 'This item of the capitulation,' says Turba (p. 22), 'was worded ambiguously for a twofold purpose: it could not make the prisoner apprehensive of undergoing a lifelong sentence of imprisonment, whilst it authorised the Emperor in 1550 to put this construction upon it.'

[2] '. . . non si ha a dubitare che costoro muovino guerra.' Ricasoli from Paris (May 25, 1547) to Cosmo I., in Desjardins, iii. 187.

[3] Schärtlin's *Lebensbeschreibung*, p. 160.

[4] '. . . che in somma avrebbero mezza la Germania.' Ricasoli, June 27, 1547, in Desjardins, iii. 196.

'There will shortly be great events in the field of battle,' Henry II. wrote on May 21 to the Nether-Saxon towns of Magdeburg, Brunswick, Hamburg, and Bremen, which had joined in a fresh alliance at the beginning of April, and had placed a contingent of cavalry and Landsknechts in the field under the command of the Counts Christopher of Oldenburg and Albert of Mansfeld. He exhorted them to make a gallant stand, promised them as large a sum of money as Saxony and Hesse had received from his father, and urgently counselled them to unite their military forces with those of the Landgrave of Hesse, his dear friend and ally, and to fight under command of the latter until he himself should appear with his troops at the head of the army. In Italy 'the great war' was very soon to begin against the Emperor, and then the Sultan would immediately invade Hungary and march on Vienna with a formidable armament, in order to strike at the heart of Charles and Ferdinand's dominions.

Before this announcement was received the imperial arms had sustained a severe rebuff in Lower Saxony. Christopher von Wirsberg and Duke Eric of Brunswick-Calenberg, who were besieging Bremen, had been compelled to raise the siege on the approach of a strong body of the enemy's troops. The soldiers under the command of the Counts of Oldenburg and Mansfeld had joined those of the Saxon Elector's general, Wilhelm von Thumshirn, who, after the defeat of John Frederic, had made his way back from Bohemia to Lower Saxony, and in the middle of May the united troops had marched into the Brunswick territory, intending to levy contributions there and then march down the Weser towards Bremen.

On May 23 Eric had been surprised on his return march in the neighbourhood of Drakenburg and completely routed before his colleague could come to his assistance. 3,500 bodies of the slain covered the field of battle; 2,500 prisoners, besides munition wagons and the whole of the artillery, fell into the hands of the conquerors. On June 16 Philip of Hesse made the cheering announcement to the generals of the Nether-Saxon League that 'France has sent us a deputation and offered to help us with cavalry, infantry, and money.'

But after the news of the Wittenberg capitulation came in, the troops of the League dispersed, and the members, one after another, submitted to the Emperor.

Hamburg especially was 'grievously disheartened,' for the plague had been raging there ever since Whitsuntide, and had often carried off from seventy to eighty inhabitants in a day. After the usual ceremony of suing for grace on bended knee the town obtained the Emperor's pardon in return for a suitable payment of money. Lübeck was required to pay 200,000 florins.

Magdeburg alone persisted in stubborn resistance, and would not surrender to the Elector Maurice. The Emperor had at first intended to besiege the town and reduce it to obedience, but in an unlucky moment he changed his mind and went away, leaving it behind unconquered. Fear of the French intrigues with Hesse and Switzerland, of which he had obtained knowledge, determined him to proceed to South Germany. Leaving Wittenberg he made his entry into Halle on June 10. From thence he despatched troops to Naumburg to reinstate Bishop Julius Pflug in the diocese which had been taken from him by force.

The chief question now to be settled was the submission of the Landgrave of Hesse.

Since his return from the unfortunate campaign on the Danube Philip had been wellnigh desperate. 'Everybody,' he wrote to Bucer, 'is abandoning us.' If at one moment he had really contemplated stirring up a peasant revolt against the Emperor, he was now more inclined to fear an insurrection against himself. His people's resources, so he complained to the Elector John Frederic, were so completely exhausted that 'they neither could nor would contribute anything towards the maintenance of a fresh army.' He met with 'great reluctance among the nobles, and was also aware of strange intrigues going on among them.' 'We had not even money enough to keep up our fortresses, and if the French subsidies had not arrived we should have been obliged temporarily to disband our soldiers.' The confederates of Southern Germany reviled him and threw on him the whole blame of the military disasters.[1] The defeat and capture of the Elector completely crushed him. He had already before, through the mediation of Duke Maurice, made repeated advances towards negotiating terms — not indeed with any honourable intention of peace or of lasting reconciliation with the Emperor, but from sheer necessity and in the hope of some better opportunity for war later on. But the conditions laid down by the Emperor—surrender of all fortresses and submission '*in Gnade und Ungnade*'[2]—

[1] His letters of January, March, and April in Rommel, *Urkundenbuch*, pp. 198–205, 221, 225–227, 264; Lenz, ii. 488, 497–500.

[2] 'Favour and disfavour.' As this passage and the following turn on the omission of the word 'Ungnade,' a literal translation of the phrase is necessary.—TRANSLATOR.

had invariably been rejected by him as too hard.[1] The most dire necessity now drove him to a decision. On May 27 and 28 Philip entered into personal negotiations at Leipzig with the two arbitrators, Duke Maurice and the Elector of Brandenburg. The transactions were painful for all parties. The Landgrave declared himself 'excessively astonished at the great unkindness of the Emperor,' raised baseless charges against his plenipotentiary, Lersner, and then endeavoured to secure the mildest possible terms; whereupon the princes reminded him that the Emperor could easily enforce the sentence of outlawry against him, and that the Imperialists were reckoning on the desertion of the Hessian nobility. Under no circumstances, Philip said, would he surrender at 'favour or disfavour;' he struck the word *disfavour* out of the draught of the treaty with his own hand. The mediating princes thereupon explained that, *in their opinion*, the Emperor would be satisfied with an entreaty for pardon on bended knee; indeed, they even assured him in a light-hearted manner that the word 'disfavour' was only used for tradition's sake and had no importance. The Landgrave, nevertheless, insisted on having 'seal and letter' as to the signification of the word. When the princes took their leave of him on May 28 he told them emphatically to 'have a care' with regard to this expression. On the same day Philip instructed his lieutenants and councillors to call out all the troops, to man the fortresses, and to enter into alliance with the towns and captains of troops in Lower Germany, because his negotiations with the Emperor had been broken off. The following day he wrote to Duke

[1] See Turba, *Verhaftung des Landgrafen*, pp. 4 ff., and *Verhaftung und Gefangenschaft*, pp. 4–23.

Maurice that he must retain the fortress of Ziegenhain, in order to be secure against his neighbours and his own subjects.[1] Charles V. considered Philip's proposals thoroughly unsatisfactory. It was well known, he said to the mediating princes, that the Landgrave never meant to keep his promises; he must have nothing less than 'the Landgrave's own person,' as his assurances could not be relied on; he intended to retain him in his power, so that he might not breed disturbance in Germany.[2] To the suggestion of the two princes that a sovereign lord who surrendered of his own accord could not be treated as severely as one who was taken prisoner with arms in his hand, the Emperor answered: 'Philip, who is now threatened simultaneously from the Wetterau, from Nassau, from the Netherlands through Büren, and by the troops marching out from Saxony, will only yield to force and to the fear of banishment and loss of his dominions.'

Charles stood all the more firmly to his conditions because it had come to light through letters of Philip which had been seized that he was continually plotting fresh intrigues against him.[3]

The princes themselves handed over to the Emperor on June 2 the article in which it was stated that Philip must give himself into Charles's hands '*zu Gnade und Ungnade*;' they begged for an assurance that this '*Ungnade*' would not lead to corporal punishment or

[1] Issleib, *Gefangennahme*, pp. 208–213; Turba, *Verhaftung und Gefangennahme*, p. 25.

[2] '. . . quy ny avoit aucune assurance que peust valoir, sinon celle de sa personne que sa ma$^{te}$ entendoit de tenir pour sheurte du traicte, et empescher, que en apres il ne troublast Lallemaigne.' See Turba, *Verhaftung und Gefangenschaft*, pp. 26–27.

[3] Official report in Lanz, *Correspondenz*, ii. 589–595; additions to above by Turba, *Verhaftung*, pp. 31–32.

perpetual imprisonment.[1] The Emperor then gave them the assurance, but with the proviso that Philip should know nothing about it, and should 'give himself up freely and unconditionally.'

Actuated probably by the hope that at the last moment the Emperor would be moved to grant the complete liberation of the Landgrave, the two princes 'of their own accord' assured Philip in a letter of June 4 that he would certainly not be subjected to punishment or imprisonment. They even pledged themselves, if any violence of this sort were offered him, to become substitutes for him and to undergo in his stead whatever penalty should be decreed. To this letter Philip answered, on June 7, that he would accept the article with a few unimportant alterations and would come and surrender himself to the Emperor; the princes, he

[1] The article in Bucholtz, *Urkundenband*, pp. 423–424. 'Il se renda a S. M. en genade et ongenade, sans aucune condition, touttefois led. marquis et duc Maurice adjustent a cesluy article, qu'il leur est necessaire davoir intelligence avec S. M. que telle condition ne tournera a *paine corporelle ou perpetuel emprisonnement* dud. Lantgrave.' The original German text of the article of June 2 was first made known by Turba (*Verhaftung*, pp. 29–30). This important document was, as comparison with other acts shows, written out clearly in the Imperial Chancellery by Paul Pfinzing, of Nuremberg, afterwards Secretary for German affairs to Philip II., and served as supplement to two letters of Bishop Granvell's, June 20 and 21 (also lately published by Turba, *loc. cit.* pp. 21–28, corrected of the many errors, due to imperfect copies, in the text as printed in Lanz, ii. 585, and v. Druffel, i. 61), in which Granvell retails to Queen Maria, the Emperor's sister, all the discussions which arose out of the Landgrave's imprisonment, and informs her of the most important part of the negotiations. The text of the decisive passage is here as follows: 'He [Philip of Hesse] will give himself up freely and without a single condition to his Imperial Majesty in *Genad und Ungenad* provided my most gracious Lords the Elector of Brandenburg and Duke Maurice of Saxony add to this Article that for persons of rank an agreement should be obtained from his Majesty that by such surrender the Landgrave will not be subjected to corporal punishment or to perpetual imprisonment.'

hoped, would so arrange matters that 'he should not be detained above five or eight days.'

When on the point of starting Philip, on June 15, addressed to Henry II. a letter which plainly shows how rightly the Emperor had judged as to his sincerity. He had been resolved, he wrote to the King, 'under the protection of God and of his Majesty,' to defend himself somewhat further, but he had not succeeded in drawing to his standard the troops serving under Mansfeld and Thumshirn, nor in procuring the French gold deposited for his use with the Elector of Saxony; he himself had no money; the Saxon towns and the marine towns had returned no answer to his repeated appeals for help; as for his own subjects, he could not trust them. For all these reasons, foreseeing a complete defeat, he had decided on peace with the Emperor. According to the terms proposed from the Emperor's camp by the Electors Joachim and Maurice, he was in no way obliged to give up his fortresses or a single morsel of his land to the Emperor, or to put himself in the power of the latter; it seemed, therefore, the most advantageous policy, both for himself and for the French King (at whose service he stood ready for all future emergencies), to close with these conditions.[1]

On the same day the Emperor gave his brother Ferdinand his version of the transactions with the two Electors. It was explicitly stated in them that the Landgrave was ready 'to surrender himself unconditionally *auf Gnade und Ungnade.*'

'It is true that the two Electors demanded my assurance that I would not allow Philip to be punished corporally, or by perpetual imprisonment; they used

[1] Lanz, *Correspondenz*, ii. 653–655.

the term "perpetual" and they also promised that the word should be used in the document presented to me. I agreed to their demand, but I nevertheless think it advisable to retain the Landgrave in my hands, at least for a time longer, and to make a prisoner of him when he arrives; and the Electors will not be able to complain on this score, for I shall be doing nothing contrary to the promise I made "not to subject him to *perpetual* imprisonment." '[1]

On June 18 Philip arrived at Halle with an imposing escort. Duke Henry of Brunswick also, whose release from the prison at Ziegenhain the Emperor had stipulated for, arrived the same day.

When Maurice on June 19 (a Sunday) was sitting down to table with Joachim of Brandenburg he charged his councillor Fachs to ask Bishop Granvell, son of the Chancellor, whether the Emperor would hold out his hand to the Landgrave after the latter had begged for pardon. Granvell answered that he did not know. Fachs reported this answer to the Elector at table.[2] The presenting of the hand after the apology was the generally recognised sign of reconciliation. Maurice himself, when he put this question, was aware that the Emperor had not given a promise to set the Landgrave free, and from this evasive answer he could foresee what was likely to follow.

On June 19, at 6 o'clock in the afternoon, Philip made his apology on bended knee, but he could not conceal the laughter on his lips. Charles, perceiving this, lifted a threatening finger and said ominously:

[1] The Emperor's letter and Ferdinand's answer, in Bucholtz, *Urkundenband*, pp. 427–429; Turba, *Verhaftung und Gefangenschaft*, pp. 61 ff.

[2] Despatch from Fachs, v. Druffel, i. 487.

'Wait, wait, and I will teach you how to laugh.'[1] Vice-Chancellor Seld read out the declaration, which was to the effect that 'in consideration of the Landgrave's submission, and at the intercession of the princes, the Emperor withdrew the sentence of the ban, and the penalty of death incurred by rebellion, and would not punish him either by perpetual imprisonment or by confiscation of property and effects, according to the articles which had been approved by him.'

'While the Landgrave was going through the ceremony of begging pardon,' the Emperor wrote to Ferdinand, 'I caused the Elector of Brandenburg, who had asked me whether I should hold out my hand to Philip, to be told that I should not do so at present, but should wait till he was set entirely at liberty; from the answer that I should give the Landgrave he would see that I had fulfilled all that I had promised. Indeed, after he had heard my answer he seemed perfectly well satisfied with it.' 'Later on,' Charles continues, 'after the Electors had conferred with the Landgrave and also with their councillors, they declared that they had not understood that the Landgrave would be detained in captivity, and that they had told him this. Their mistake was proved to them from the text of the articles and from the statement repeatedly made to them that no other guarantee for the fulfilment of the conditions would suffice than the person of the Landgrave; for the Emperor could not depend on his word of honour, which he had broken so often; the promise which, according to their statement, they had made to him they had no power to make against my will, all the less so as they themselves by their written statements had also promised

[1] 'Wel, ik sal u leeren lachen.' Sastrow, ii. 29.

precisely the opposite.'[1] There was no question, the Emperor said to the princes, of its being a misunderstanding; for the document in which the words 'perpetual imprisonment' occurred had been drawn up by themselves, and moreover in the German language. Rather, however, than that any doubt should remain as to whether he could retain the Landgrave in captivity, he preferred that all should be considered as not having happened, and that Philip should return under their escort to his own country. Finally the princes declared, by a threefold asseveration, 'that the Emperor, according to all the terms of the agreement, was entitled to retain the Landgrave in captivity, but that his imprisonment must not be perpetual;' they said that they would assert this against any one who should maintain the contrary opinion, and owned that if any mistake had been made it was they who were to blame.[2]

On July 3 the Emperor issued writs for a Diet to meet at Augsburg on September 1.

Owing to the war which had been stirred up by a few insubordinate princes and notables, he said in his summons, he had not been able to hold a Diet earlier; now, however, that 'the two ringleaders by whom the rebellion has been mainly fostered have submitted to the demands of equity and are at present with us, we will no longer delay taking measures for the tranquillisation and unification of the Empire.'

[1] '. . . ayans clerement par leur escript promis le contraire.'

[2] Letter of Charles V., June 28, 1547, v. Druffel, i. 63–67. Letters of Granvell to Maria, June 20 and 21, Lanz, ii. 585–588, 592–595.

## CHAPTER III

THE EMPEROR OPPOSES THE AUTHORITY OF THE COUNCIL—DIET AT AUGSBURG, 1547–1548—THE IMPERIAL 'INTERIM RELIGION'

THE Emperor was at the climax of his power. Except in the case of a few towns, all open resistance in the Empire was at an end; for in Bohemia and Suabia also the insurrection had been put down by King Ferdinand, and at a Bohemian Diet at Prague a new order of things had been instituted, by which the royal power, whose subversion had been aimed at, was materially extended and strengthened. Among the Protestants anxiety and discouragement prevailed. 'The whole world, either in hope or in fear, stood expectant that after such great events Charles would interfere vigorously in the internal affairs of the Empire, that the religious question would be settled on a lasting basis, and that the territorial Church system, with its usurped rights and prerogatives, would be abolished. Both parties, however, were disappointed, both those who hoped and those who feared. Those who imagined that the Emperor would profit by his victory for the consolidation of his authority and power, and the establishment of a monarchy, were forced now to recognise that this had not been the Emperor's intention; for in the main everything

remained in the same condition as before. In matters of religion decisions were made which satisfied nobody, and only served to fill some minds with suspicion, others with resentment. The blame for this must be chiefly laid on the Emperor's quarrel with the Pope and the Council.'[1]

In his treaty with the Pope the Emperor had promised with regard to the Protestants who were opposed to the Council of Trent that if all gentle measures failed he would reduce them to obedience by force of arms, supported by the papal troops and money, and compel them to submit to the council and the Apostolic See. He had further pledged himself not to conclude any treaty disadvantageous to the Catholic faith and interest with the Protestants and the Smalcaldic League without permission from the Pope.

These pledges he by no means kept.

He had indeed already violated them by the treaty which he had concluded at Ratisbon before the outbreak of the war with Duke Maurice and the Margrave Hans of Brandenburg-Cüstrin. In his agreements with the towns of the South he did not make the recognition of the Council a condition, but only required their submission to the decrees of the Diet and of the Imperial Chamber. Without taking the Pope or his nuncio at all into his confidence, he gave the towns his assurance that 'he would leave them in the enjoyment of their present religion.' In the compacts with the Smalcald princes there was no mention at all of religion. The Pope complained of this, and so did

[1] Dissertation on the 'Interreligio imperialis,' 1549, by the Carmelite Westhof, who was present at Augsburg.

his representative the nuncio Verallo, whom Chancellor Granvell treated in consequence with great rudeness.[1]

Thus the opinion entertained by Alexander Farnese before the conclusion of the treaty with the Emperor, viz. that the Emperor would use the supplies granted by the Pope solely for the extension of his political power, and that he would proceed to the settlement of the internal affairs of the Church without reference to his Holiness, and would make concessions to the Protestants, gained fresh confirmation in Rome.[2]

Added to this was the ancient deep-rooted mistrust of the imperial policy on the part of Italy.

Ever since Charles, in violation of earlier oft-repeated assurances, had attempted to unite the duchy of Milan directly with his own House (which already owned Naples and Sicily), instead of settling it on his heir presumptive, Philip, fear had reigned in Rome that nothing short of the complete ruin of the independence of Italy, and especially of the Apostolic See, was at hand. The feudal dependence of the duchies of Parma and Piacenza on the Papal See was not recognised by the Emperor; the Imperial Governor at Milan, Ferrante Gonzaga, a bitter enemy of the Pope's family, raised conspiracies in these duchies in the year 1546, in order to get them out of the hands of Duke Peter Louis Farnese and to attach them to Milan.

The Pope on his part was far too much concerned

[1] See v. Druffel, Viglius' *Tagebuch*, pp. 183, 185, 217, 221–223; *State Papers*, ii. 379.

[2] Cardinal Cervino repeatedly expressed the fear that the Emperor would deceive the Pope; the latter, he said, appeared to him to have fallen into the claws of a great crab. V. Druffel, *Kaiser Karl V. und die römische Curie*, 1544–1546, division ii. 26, 36.

with the aggrandisement of his own family.[1] His dissatisfaction with affairs in Italy and with the management of the war in Germany was so great that, if the reports of the French ambassador, du Mortier, can be trusted, he rejoiced over the resistance which the Emperor met with from the Protestants, and actually talked of giving help to the latter. His promised subsidies to Charles were only furnished in the most dilatory manner ; and very soon disagreement arose between them respecting the sale of Spanish Church property which had been taken into consideration in the compact. When the six months' treaty expired in December 1546 the Pope withdrew his auxiliary troops, and on the plea of France's military preparations, and the necessity of maintaining European peace, refused the Emperor any further support.

The Emperor's pretensions went on increasing : from all his dominions and States, without exception, from all churches, monasteries, and convents, he exacted the half of their possessions in gold and silver and valuables, and from all ecclesiastical confraternities the half of their yearly incomes. Rome was in consternation at such demands and refused them with the utmost decision, not knowing, however, that divines at the Emperor's council board had expressed their readiness, 'if need were without waiting for the consent of the Pope, to accomplish the contemplated work of secularisation.' [2]

Most disastrous of all, in its consequences, was the

[1] V. Druffel, p. 31 ff.

[2] Maurenbrecher, *Karl V. und die Protestanten*, pp. 123, 131–132 ; G. de Leva, *Storia documentata di Carlo V. in correlazione all' Italia*, iv. 210 *sqq.*

quarrel between the Emperor and the Pope with regard to the Council.

Since the ratification of the Spires recess of 1544, in which the right had been acknowledged of a Diet to pronounce judgment in matters of faith, the people of Rome lived in constant apprehension as to Charles's intentions. 'The treaty with the Emperor,' said the nuncio Verallo to the Carmelite Westhof, 'had quieted the Holy Father's anxiety, which, however, has returned again, because the Emperor does not keep to the engagements he made. There is no doubt whatever that he is most eager for a council, but if we may believe the utterances of Granvell and other influential people at court there is grave reason to fear that the Emperor will make the Council feel his power and will attempt to influence its decisions.'[1]

The papal legates at Trent were of the same opinion. The Emperor's wish that, out of consideration for the Protestants, all decisions concerning dogmas should be postponed, and only the question of reform of discipline be discussed at the Council, had been stubbornly opposed on the part of the Church; they wanted to begin 'with the most essential matter, the groundwork of the whole.' In the end, however, it was decided to deal with the two questions, dogma and discipline, side by side. In the year 1546 the decrees respecting the canonical Scriptures, the editions and proper use of the same, as also concerning original sin, were published, and the dogma of justification was defined and formulated. It was in vain that the Emperor protested against the promulgation of these decrees. It was not unknown how scoffingly Granvell

[1] See above, p. 376, note.

had spoken of the Italian 'bishops,' to whom the most important decisions should not be relegated. The Catholic dogma of justification, as defined by the Council, did not fit in with Granvell's views, who was of opinion that this question had been already settled in a satisfactory manner at the religious conferences held with the Protestants.[1] In order to forestall every possible attempt of the secular powers to influence or control dogmatic definitions, the Pope enjoined the legates to proceed without delay with the promulgation of the dogma. This was finally done on January 13, 1547. On the Emperor's complaining of the 'precipitate haste' by which the Protestants had been inopportunely irritated, Paul III. answered that the reproach was unfounded, since the Council had devoted six months to the exclusive consideration of the decree respecting justification; there was no reason to hope that the Protestants would be brought to reason by delay in the pronouncement of judgment on their erroneous teaching.[2]

On March 3 the decisions on the Sacraments in general, on baptism and confirmation in particular, were made publicly known. Decrees respecting clerical reform, above all the duty of episcopal residence, the question of plurality of benefices, were published simultaneously with the decrees on dogmas. The next session was to be held on April 21, but a contagious disease broke out at Trent, and the general of the Franciscans, a bishop, and several other people died of it. There was talk of cutting off all communication with the neighbourhood, whereupon twelve bishops

[1] See above, p. 311.

[2] Pallavicino, lib. ix. cap. 3, no. 4.

took their departure, some of them without asking leave of the legates. Many of the prelates advocated the adjournment of the synod, as the legates had already proposed to the Pope at the beginning of the Smalcaldic war. The legate Cervino especially had dwelt on the fear that the Emperor with an army at his back would be able to dictate his own terms to the Council. The imperial ambassadors had often enough threatened that Charles would come in person to take the management of the Council into his own hands. What would be the consequences if the Emperor, flushed with victory, should carry out his threat? The Pope, 'because it seemed impossible to keep the bishops together at Trent,' sent the legates at the beginning of August 1546 plenary authority to adjourn to Lucca if the majority of the Fathers were in favour of this step. But the project must first be communicated to the Emperor. As Charles, however, was vehemently opposed to this course, and threatened, in the event of their removing to Lucca, 'to come to terms with the Lutherans and to think henceforth solely of his own advantage,'[1] the plan was given up.

Soon after the outbreak of the epidemic, when two distinguished doctors discovered symptoms of the plague in it, the legates, on the strength of their plenary authority, laid the matter before the Fathers. On March 14 it was decided by the majority, against the opposition of fifteen out-and-out imperialist prelates, to remove to Bologna. These fifteen, by Charles's order, remained at Trent.

[1] Cataneo's report: '. . . . quod alias concordabit cum Lutheranis et ea agit quae expedire ei magis videbuntur.'' See v. Druffel, Viglius' *Tagebuch*, p. 52.

It soon became evident that the sickness at Trent would soon be over. The removal of the Council proved a misfortune for the Church.

As soon as Charles heard of it he flew into a violent rage and was carried away into uttering words of abuse to Verallo about the octogenarian Pope. 'But,' he added indignantly, 'we shall not fail to have a synod which will give satisfaction to all parties and set everything straight.' He insisted on the immediate return of the Fathers from Trent, threatening that otherwise he would protest formally and solemnly against every conciliar measure at Bologna. The Pope represented to him that the Council alone had power to recall the prelates, and that for this purpose those who had remained behind at Trent must also go to Bologna; he was ready himself to attend the Council in person with the Emperor, in order that by their presence greater weight might be given to any measures passed for the extirpation of heresy. Charles answered that he would come fast enough without the Pope's invitation. He would send his prelates not to Bologna only, he exclaimed, but also to Rome, and he would accompany them himself: he himself, the all-powerful Emperor, would hold the Council in Rome.

His burst of passion and his threats, however, were without effect. They were not willing at Rome to concede to a secular potentate, even the mightiest of the earth, an authoritative or decisive voice in purely religious questions. Not to Caesar, the Pope said to the imperial ambassador, Mendoza, but to St. Peter had Christ spoken the words: 'On this rock will I build My Church.'

The suspicions against the Emperor and his inten-

tions were aggravated by an event which caused the Pope also the deepest personal grief.

On September 10, 1547, in consequence of a conspiracy planned and executed by Gonzaga, imperial governor of Milan, Duke Peter Louis Farnese, the son of the Pope and an enemy of the Emperor, was assassinated in Piacenza and the town occupied by imperial troops. Charles had consented to this plot of his governor, but had nevertheless expressed the wish that the Duke's life might be spared. Gonzaga, however, had assured the conspirators in a separate contract that they would be exempt from justice in the event of any murder which might happen during the fray.[1] The Pope notified to the Emperor that prompt restoration of the town was the only proof he could accept of the uprightness of his intentions. Charles refused this, and Paul III. accordingly declared in a consistory of the cardinals that 'he would forgive the offence perpetrated against himself as a man, leaving to God the punishment of the criminal, but the outrage offered to God and the Church he could neither put up with nor forget, but must take the chastisement thereof into his own hands, even though he should have to expiate the act by a martyr's death.'

Under such auspices the religious negotiations were commenced at the Diet at Augsburg.

On September 1, 1547, the Emperor opened the Diet with a speech in which, 'just as though no war or victory had taken place,' the very same tone was adopted with regard both to temporal and spiritual affairs as at former Diets. On many members present the question forced itself, 'How would the Smalcald

[1] Ranke, pp. 5, 9; Maurenbrecher, p. 158.

confederates have spoken, and how would they have acted, if the fortune of the war had fallen to them and a vanquished Emperor had stood before them?' 'It was certainly their intention, as they themselves allowed, said the Carmelite Westhof, 'to bring the Empire under their own rule, to suppress the spiritual princes and expel the clergy, and what then would have been the fate of the Emperor himself is easy to be imagined.'[1]

The Emperor's intention with regard to the Council was first and foremost to carry out his own will against the Pope and the Fathers assembled at Bologna. Whereas the schism in religion, he said in his opening address, was the root and origin of all the disturbance in the Empire, and without the healing of this division peace could not be restored, and whereas it was for this purpose that the Council had been convoked, the first and most important business was to consider how these religious disputes could be amicably settled, and what course meanwhile should be pursued with regard to religion.

The three spiritual Electors answered that 'the Emperor had better leave the whole religious question to the Council at Trent and let it be settled there.' The Protestant Electors of the Palatinate, of Saxony, and of Brandenburg petitioned for 'a free and apostolic Council' to which the Pope also should be subject. At such a Council all the bishops must be released from their oath to the Pope; the Protestant theologians must be allowed a definitive vote, the resolutions already passed at Trent must be 'reconsidered,' and all erroneous doctrines abolished, and all business carried on according to Divine Scripture, in a

[1] See above, p. 376, note.

godly manner and without party spirit. The college of princes, prelates, and counts was of opinion that the Council of Trent should be continued, and that Protestant representatives should be sent to it; but at the same time, at the instigation of the Bavarian Chancellor, Eck, they called in question the validity of the decisions so far passed by the Council. Duke Ulrich of Würtemberg had instructed his ambassador to protest firmly against the continuance of the Council of Trent, 'because it had hitherto shown itself so strongly biassed against the Holy Scriptures that it was quite lamentable.'[1] The imperial cities were of opinion that a fresh religious conference would be the best means of settling the disputed points, or else a national Council at which all Christian believers on whom God should bestow His Holy Spirit should freely express their opinions, while learned God-fearing persons, chosen from every station, should draw up the final decision. The Council of Trent, they said, had assumed an unheard-of position in the matter and had taken upon itself to pronounce judgment on all the leading articles of dispute in the religious question: nothing but grave injustice and annoyance was to be expected from this Council in future, and the Emperor, therefore, had better not prolong it.

After listening to these opinions of the different Estates the Emperor proceeded to negotiate with the Protestant Electors and princes, and brought them to the point of agreeing with the Catholics to 'leave the matter of the Council to him.'[2] He promised to make

[1] Sastrow, ii. 142–144.

[2] It is not known whether the Emperor made any special promises to the Protestants for the purpose of securing this concession.

provision for Christian procedure and fair treatment of the Protestants: 'the whole regulation and method should be pious and Christian, all party spirit should be set aside, everything should be begun and concluded in conformity with Holy Scripture and the teaching of the early fathers, a salutary reform should be instituted, and all abuses and erroneous doctrines be abolished.' He would arrange and order all these things 'in keeping with his imperial office;' the Estates could and should trust to him.

It was not without a struggle that the towns consented 'to leave the management to the Emperor.' Once again they declared that they could only agree to this with good will on condition that the business was carried on in conformity with divine teaching and those writings of holy fathers which were in accordance with divine teaching; to the majority of them it would be 'painful in the extreme to submit to the Council of Trent if the decisions already made by it were to be regarded as decrees of a General Council, or if the assembly took a different line with regard to the word of God and the doctrine of the fathers from what the Emperor had led them to expect.'

From all these 'provisoes and reservations' it was plain to see that anything like a real submission to the decrees of the Council was not to be expected.

All the same the Emperor informed the Pope on November 9 that 'what he had laboured for so long and zealously had now come about: Electors, princes spiritual and temporal, and towns had agreed to submit to the decisions of the Council now summoned, and indeed actually opened at Trent.' The Fathers must, therefore, at once return from Bologna to Trent.

The Pope informed the Fathers at Bologna of the Emperor's wish, and they answered that they were all ready to go back if they could do so without prejudice to the cause of Christianity. First of all, however, it was necessary that those who had remained at Trent should come to Bologna to agree with the rest on this point. Further, they must be assured that the Emperor did not contemplate an innovation in the form of conciliar deliberations, of which mention had been made in Germany. Finally, it was requisite to concede to the Fathers full right to determine, by a vote of the majority, where they would assemble and when they would bring the Council to a close.

On December 20 the Pope delivered to the imperial plenipotentiary this answer of the Council as his own.

The path on which the Emperor now elected to enter definitely shaped the future course of Germany.

Had the two supreme chieftains of Christendom gone forward together working in intimate and unbroken harmony for the removal of the blemishes and abuses which disfigured the external life of the Church; had they united their energies to carry into effect the reformatory decrees already enacted at Trent as well concerning the duty of the bishops to reside in their sees and to attend to the office of preaching the word of God personally and by the appointment of capable preachers, as also concerning the visitation of dioceses, the erection of theological chairs in cathedral and collegiate churches and in monasteries, there is no doubt that their combined labours, at a time when Charles had succeeded in crushing the opposition of the two chief leaders of the religious revolution, would have issued in a triumphant consolidation of the

ancient faith and of the imperial constitution so intimately connected with the faith, and in a revival of religious life, morality and discipline, justice and peace.

Over against the Pope and the Council the Emperor assumed a position which was altogether unbecoming. He autocratically persisted in his demand that the Fathers at Bologna should immediately come back to Trent. He would not even agree to the first condition insisted on by the Fathers, that the Spanish prelates who had remained behind at Trent should reunite themselves to the main body in Bologna before the Council migrated. He caused a solemn protestation to be made in Bologna on January 16, 1548, in which it was declared that the original transfer of the Council, with all its attendant consequences, was null and void. The papal legates, he protested, and the bishops here assembled, most of whom were dependent on the nod of the Pope, had no right to prescribe laws to the Christian world in matters concerning the faith and the reformation of morals; the answer given to him, the Emperor, by the Fathers and by the Pope was unbecoming, unlawful, and replete with falsehoods. Since the Pope neglected the Church it was necessary that the Emperor should look after it and do for it all that devolved on him, rightfully and lawfully, and according to the public opinion of the world, by reason of his office of Emperor and King. The President of the Council, the Cardinal Legate del Monte, instantly replied that he would rather suffer death than consent to the secular power's arrogating to itself the right to convoke Councils or to deprive the assembled Fathers of their freedom of action: the Emperor was only the son of the Church, not its lord and master.

At Charles's behest his ambassador Mendoza repeated at Rome, in the presence of the Pope and in full consistory, the declaration of ecclesiastical war. He received the dignified answer that 'the Pope could not believe that the Emperor meant to protest against the person of the Pontiff: his intention evidently was to appeal to the Pope against the legates for their transfer of the Council. The Emperor must be of opinion that the Pope was the sole lawful judge in the matter, and that he must inquire into the behaviour of the legates, and not issue an order at the Emperor's wish without an examination. If it was said of the Fathers at Bologna that they were specially bound to the Pope, his answer was that beyond the relations by which he was bound as chief shepherd to his flock he recognised no special party, nor had he yet felt the necessity of attaching a party to himself: on the contrary he had particularly enjoined on his legates to respect the freedom of the Council. Four cardinals had been invested with plenary power to inquire into the legality of the removal. If it should be found to have been illegal, the Pope would exert all his authority to effect the return to Trent as soon as possible.'

The endeavours to come to an understanding with Mendoza were fruitless. On February 15 the ambassador left Rome. The following day the Pope, in order to prevent a rupture, issued a brief to the legates and bishops at Bologna, commanding them to suspend al synodal transactions until definitive judgment had been given.

The Emperor had made up his mind to put in action his threats against the Pope and the Council—that is to say, by right of his supreme imperial authority

to effect a temporary settlement of the religious questions, in co-operation with those notables who had committed to him the task of organising a provisional Church system. Apart from the supreme ecclesiastical authority he intended to make enactments which the Catholics as well as the Protestants were to be guided by up to the end of the Council.

An imperial 'Interim religion' was to be established in the Empire.[1]

At first Charles had intended to accomplish his purpose by consultation with the Estates—that is, by allowing the Diet to deal with and decide religious questions as well as political affairs. 'But any one acquainted with the sort of life that went on in the towns during the sitting of the Diet,' wrote the Carmelite Werthof, 'must have been convinced that with princes and delegates such as were gathered together there no resolutions could be passed respecting matters of the faith, even were it considered fitting that secular members should settle such questions. The gambling, drunkenness, profligacy, and vice of all sorts that were practised daily baffled all description.'

The princes, who, in answer to the imperial summons, appeared at Augsburg in greater numbers than scarcely ever before, surrounded themselves 'with pomp and splendour, as if a time of great abundance had come and gold had rained down from heaven; and the

[1] 'Interreligio imperialis;' see v. Druffel, i. 179, note to p. 242. See above, p. 376, note. Beutel in his dissertation on the *Origin of the Interim*, p. 11, and Egelhaaf in his *Deutsche Geschichte*, ii. 505, both state emphatically that it was far from the Emperor's intention to found a Germanic Church after the model of the Gallican (or Anglican) Church. Wishing to do away with the religious disturbances which were paralysing the imperial authority, he strove to reform what he judged to be the most crying abuses.

hardships and sufferings of the war being over they gave themselves up to such inordinate luxury and self-indulgence as though there were nothing else to do but to revel and feast, and although the people, wherever the war had raged, had been thrown into misery by fire, plunder, and devastation, the princes behaved as if all want and wretchedness had taken flight to the moon. The Emperor with his temperate habits was in the highest degree disgusted by all this, but of what use was it for him to entreat the profligate to return to chastity and the drunkards to behave with decency?' 'For the honour of God and to gratify himself, the Emperor,' Charles expostulated with the princes, 'they might, at any rate during the session of the Diet, abstain from their worst excesses: such self-denial would be profitable both to their bodily and spiritual health, and also to their purses.' But all entreaties were vain. 'I have nothing much to write about,' says Georg von Heideck in a letter from Augsburg, 'except that in my opinion the life that goes on here day after day is as godless as it can be, with its gluttonous banqueting, drinking, gambling, and blasphemy.'[1]

One of the most famous of these 'tippling heroes' was Duke Frederic III. of Liegnitz, who boasted of 'his firm evangelical faith,' and used to spout long passages from the Bible even in the midst of his drunken revels. On the journey to the Diet at Nuremberg he had already distinguished himself publicly as a drinker. 'He was always the worse for drink,' says Sastrow, an eye-witness, 'and, as his official councillors would have nothing to do with him when he was drunk, he

[1] Voigt, *Albrecht Alcibiades*, i. 165; Voigt, 'Wilhelm von Grumbach,' in Raumer's *Histor. Taschenbuch*, 1846, p. 13.

surrounded himself with the Margrave John of Brandenburg's court folk, who were never loth to join in his carousals.' Once, being very drunk, the Duke and six of the Margrave's courtiers cut off the sleeves of their doublets and shirts, leaving their arms quite bare ; then they pulled out their shirts between hose and doublet, took off their shoes, and in their stockings marched out into the town. A band of musicians, hired to go with them, were ordered to ' blow their loudest.' It being the middle of the day, a multitude of people, especially foreigners, Italians and Spaniards, assembled to see these German inebriates. Henry of Brunswick, one day after a banquet, fell flat on the ground in his hotel, and had to be carried to bed by four noblemen. ' The Emperor cannot have been very well pleased to see the Germans disgracing themselves thus before the representatives of other nations.'

The Duke's chief companions at the Diet of Augsburg were the Elector Maurice of Saxony and the Margrave Albrecht of Brandenburg-Culmbach ; these three ' led such a life that verily the devil must have laughed, and there was much talk about them all over the town.' [1]

[1] B. Sastrow, *Herkommen, Geburt und Lauf seines ganzen Lebens*, ii. 89. Sastrow's Memoirs and also the *Begebenheiten des schlesischen Ritters Hans von Schweinichen*, published by Büsching (3 vols., Breslau, 1820–1823) are among the most important contributions to the knowledge of the terrible demoralisation of society which followed so rapidly in Germany on the track of the religious revolution. We shall give but one instance of the consequences of the ' Trunksüchtigkeit ' of the German princes. ' At Liegnitz, in his own territory,' Sastrow reports concerning the above-mentioned biblical student, the Lutheran *summus episcopus* of his dominions, Frederic III., ' whilst he was deep in his cups, it happened on a certain occasion that two students were passing through Liegnitz on their way to visit their parents and friends. They sat up till the small hours, and sang so lustily that the Duke heard them, sent for them,

The Elector Joachim of Brandenburg and his wife 'also kept up great state and magnificence at Augsburg during the Diet.' Notwithstanding that everything was enormously dear at the time, there was never any dearth of the most dainty and expensive dishes at their table. The Elector had very soon run through all the money he had brought with him. He could not procure any more from any quarter, and did not know how to get out of his difficulties.[1]

His debts and impecuniosity had an important bearing on the ecclesiastical transactions at Augsburg.

By the Emperor's request a committee of the members was appointed for the purpose of negotiating with the imperial delegates concerning measures for a Christian accommodation. The Protestant members of this committee demanded on February 11 'that a national council should be held, or else a Christian assembly at a Diet.' Now that an agreement had been arrived at, they said, on 'the most essential point of justification,' and that

ordered them to be conducted outside the castle gates and to have *their heads struck off*. The next morning, before resuming his carousal, he rode out to take the air with several of his councillors, who led him to the spot where the two students had been decapitated. Seeing the blood he asked what this might be, and being told it was the blood of the two students whom he had ordered to be beheaded the previous day he expressed surprise and inquired *what they had done*.'

[1] Sastrow, ii. 302. 'Dr. Conrad Holde had advanced the sum of 5,713 thalers to his Grace the Elector seven years previously, at the Diet of Ratisbon. During the interval he had frequently dunned him for repayment, but without receiving a penny. At this Diet too the Elector gave him no money, but gave him, instead, a sealed note powerful enough to poison snakes with, promising to pay him in four instalments at Frankfort fairs. Nothing came of it, however. There was nothing left him, therefore, when the time expired, but to sue the Elector before the Imperial Chamber, as the note indicated, and obtain *executoriales*. Think of an electoral prince of the German Empire brought to judgment for a paltry debt of 5,713 thalers!'

'the present dissension related only to ceremonies and abuses, further agreement in the principal articles at least might well be hoped for.' So long as it remained unsettled 'which was the right Church' and which party's religion and ceremonies were to be adopted, the restitution of Church property demanded by the Catholics could not be dealt with. It would be very wrong to give property and revenues back to those who had abused them. 'Above all, nobody had any right to complain of a prince making fresh regulations respecting churches and monasteries in his own territory. To rebuild the demolished churches, or to refund the hundreds of thousands of florins that had been taken from their revenues, would be impossible.'

The Catholic members of the committee, who formed the majority, insisted that 'in the disputed points of doctrine they must abide by the decision of the Council.' 'All such side-ways as national councils or other meetings must not be thought of for a moment.' The first would lead to a schism; the other, as past experience had shown, would have no result at all. 'The great cause of all the discord, ill will, anarchy, and perversion of justice lay in the fact that many people, both clergy and laity, simply because they adhered to the old faith, had been prevented by violence from the exercise of their religion and deprived of their possessions, while abbeys, monasteries, and churches had been plundered and the new religion forced upon them. Not till these injustices had been redressed and the plundered and oppressed victims reinstated in possession of their immemorial rights and emoluments, goods and chattels, and allowed the practice of their ancient rites, and restored to their offices, not till then would peace and

unity return to the land.' 'If the Protestants urged so vehemently that they could not do violence to their consciences in the matter of their religion, which was barely thirty years old, with how much more reason might the Catholics say the same with regard to theirs, which had come down to them from the time of the Apostles!' Moreover, 'there was no question of obliging any one to adopt or retain the forms of the old Church; if the Emperor was willing to tolerate the new religion, they on their part would also leave its adherents undisturbed.'[1]

The Catholics considered demands of this sort 'Christian, honourable, and reasonable.' But they did not correspond to the promises which the influential statesman Granvell had made to several Protestant princes with regard to questions of doctrine and to ecclesiastical foundations and property.[2] Already in October 1547 the younger Granvell, bishop of Arras, had told the papal legate Sfondrato that the Emperor certainly wished for a restitution of Church property, but that such a thing was an impossibility. Such a restitution, said the councillors of the three Protestant Electors, 'was against their consciences.'

To every one's surprise the Emperor dissolved the committee and appointed a mixed commission of theologians to compile a system of temporary religious regulations, to which the name 'Interim' was given and which was to form a bridge over the chasm between the old and the new religions.[3]

As early as the beginning of 1547 King Ferdinand

[1] Bucholtz, vi. 221–225.

[2] See above, p. 310.

[3] See Pastor, *Reunionsbestrebungen*, p. 369, and Beutel, pp. 6–7.

had recommended the Bishop of Naumburg, Julius Pflug, and Michael Helding, suffragan Bishop of Mayence, to the Emperor as suitable persons for drawing up a scheme of new Church regulations. These two men had handed in to Charles a document to this effect, and they were now appointed members of the 'Interim' commission. In the treatise they had prepared the dogmatic statements were essentially Catholic, but in the exposition of the crucial doctrine of justification, the main point of difference between the new faith and the old, and one which the Council of Trent had already authoritatively defined from the Catholic standpoint, their statement lacked the requisite precision.

The Emperor, personally, held the Tridentine dogma to be 'essentially Catholic and sacred,' and yet without regard to the authority of the Council he allowed the hazy version of his mediating theologians to be embodied in the 'Interim.' In the doctrine of the Mass also these theologians, out of consideration to the Protestants, had used less precise and sharply defined language. Moreover, they had conceded the lay chalice and the marriage of priests.

By yielding in certain points Julius Pflug, an Erasmian, thought to win over the opponents of the Church; it would be easy for the Emperor, he said, after such a brilliant military success as he had achieved, to 'bring round' the Protestant princes, either in a body or else singly one after the other. He reckoned especially on the co-operation of the Elector Joachim of Brandenburg, who was disposed to conciliatory measures.[1]

[1] Pastor, *Reunionsbestrebungen*, pp. 351–352, 357 ff. See Paulus in the *Katholik*, 1894, ii. 417 ff., and Beutel, *On the Origin of the Augsburg*

Joachim's court preacher, Agricola, was nominated by the Emperor as Protestant member of the religious commission, and he worked with Pflug and Helding at the Augsburg Interim, which coincided in the main with the document drawn up for the Emperor by the Catholic members. Only in the statement of the doctrine of penitence is any trace of Agricola's influence to be discovered. It was Agricola who made the German translation of the document, which had been drawn up in Latin.

In order to induce the Protestants to accept the Interim it was decided not to present it to them as emanating from the Emperor, but as 'a scheme submitted to his Majesty by a Protestant prince.'

It was at this point that Joachim's impecuniosity proved useful.

'When the Elector,' says Sastrow, 'found that he

*Interim*. To enable us to pass a fair judgment on the *Interim*, Dr. Paulus draws our attention to the following important facts: 'First of all let it be duly considered that, as regards dogma, the resolutions were drawn up in conformity to the Catholic teaching, though enunciated in the mildest and at times in somewhat indefinite terms.' 'Secondly, it ought not to be forgotten that the *Interim* was formulated not for the Catholics, but for the Protestants.' 'It has not been my intention, however,' says Paulus in conclusion, 'to defend the arbitrary procedure of the Emperor, whose most obvious duty it was to come to an understanding with the Pope.' As to the *personnel* of the collaborators on the *Interim*, Beutel comes to the following conclusion: The principal authors of it were Bishop Pflug and the Spanish theologians Soto and Malvenda. The broad foundation, the matter of it, is the creation of Pflug; the Spaniards gave form to it. Beutel is of opinion that, from the original conception of the *Interim*, Charles kept the Protestants alone in view. The latest investigator of the subject, G. Wolf, in his dissertation inserted in the *Deutsche Zeitschrift für Geschichtswissenschaft*, New Series, ii. 39 *sq.*, returns to the opinion of Ranke and Janssen that Charles V. originally intended to impose his *Interim* as a general law upon the Empire, and did not mean that it should be merely a piece of exceptional legislation for the Protestants.

could not raise money and was at his wits' end how he might bring home his wife and great retinue without being disgraced,' the Archbishop of Salzburg offered him a loan of 16,000 Hungarian florins on severe terms, 'nevertheless on condition that he would present the book which Pflug, Helding, and Agricola were compiling to the Emperor as coming from himself, and that he would promise that he and all his subjects would conform to it. Joachim agreed to this condition, and not only presented the book as his own gift, but used his utmost endeavours to persuade others to subscribe to it.'

Agricola, Sastrow goes on to say, worked thus zealously for the Interim because 'he was very anxious to become bishop of Cammin and had good hopes of gaining his wish through the Elector of Brandenburg's intrigues with the Emperor.' At any rate, as Erasmus Alber jestingly said, 'Talerus and his brother Florinus' were not without influence on Agricola's zeal. On his own confession Charles gave him 500 crowns, and King Ferdinand 500 thalers, besides which he had been promised at starting that his daughters should be provided with handsome marriage portions.

At the same time it was not only for the sake of money that Joachim and his court preacher constituted themselves the champions and panegyrists of the Interim, but also in the hope that this scheme would serve as a meeting-point for both parties, Catholic and Protestant. Agricola was already rejoicing at the thought that henceforth the bishops everywhere in Germany would proclaim the 'Gospel.' 'Although the bishops,' he wrote on April 13, 'are fiercely opposed to this compromise, the most pious Emperor Charles

has lately treated them in such a manner that they will no longer be able to fix their hopes on him.'[1]

But the Catholic members, both lay and clerical, were not disposed, most of them at any rate, to accommodate the Emperor by the surrender of religious principles expected of them, and, in place of the infallible Church, to recognise the secular power as supreme in matters of the faith.

'More than once of late years,' wrote Werthof, 'and especially at the Diets at Spires and Worms, bishops and temporal princes of the old faith had made concessions which threatened to undermine the foundations of the faith. But when at Augsburg the audacious attempt was made to induce them to accept definitely formulated proposals, which constituted the Emperor, though only temporarily, supreme arbiter of religion for the Catholics, they boldly and resolutely withstood the demand. God grant that their courage may not soon evaporate again!'[2]

Nobody but the Pope and the Œcumenical Council, said the Archbishops of Mayence, Cologne, and Treves, when the Interim was presented to them, had power 'to sanction, to dispense with, or to tolerate any regulations with regard to the marriage of priests and Communion in both kinds:' any decision in these matters outside the recognised spiritual authority was null and void. 'In order, however, that the Emperor's efforts might not be altogether fruitless, and that, pending the decisions of the Council, peace, tranquillity, and unity might be

[1] 'Quamquam enim episcopi vehementer huic negotio adversentur, tamen piissimus Carolus sic nuper eos tractavit, ut nihil spei porro in eum collocare queant.' Kawerau, p. 258.

[2] See above, p. 376, note.

maintained in the German Empire, and the distrust and estrangement between the different Estates be put an end to, they begged that his Majesty would accept the articles on which agreement had been arrived at from the hands of those who had subscribed to them and who wished to return to the bosom of the universal Christian Church, on the condition that the said articles should only be regarded as concerning the Protestants, and not those who up till now had remained unalterably attached to the true and ancient Church, and that they should only be held valid for the places and people who had already given in their adhesion to the new doctrines.' Further, they stipulated that 'nobody who was a priest already, or who intended to become one, should be allowed to marry; also that no member of the old religion, either lay or clerical, should conform in any respect to the new religion, either by communicating in both kinds, or in any other matter, but should adhere faithfully to the Catholic religion.' With regard to the question of restitution, of which no mention was made in the Articles, necessity imperatively demanded that if the old religion was maintained, and restored wherever it had been abolished, restitution should in all cases be made at the same time, and churches, foundations, cloisters, &c., with all their liberties and privileges, be restored to their original owners; for otherwise the service of God and other things connected with it could not be properly carried on.[1]

Still more emphatic was the protest of the prelates and secular princes, who gave the Emperor distinctly to understand that he was exceeding the limits of

[1] Sastrow, ii. 320–327.

his prerogative by pronouncing judgment in matters of doctrine which were the business of the Council; it was to be feared, they said, that this Interim would lead to all manner of disturbance and ill-feeling, and also to the collapse of the Council. They begged that the Emperor would endeavour to dissuade the Protestants from their heretical doctrines, and from adherence to the Augsburg Confession. The lay chalice and the marriage of priests were contrary to the usage and commands of the Church; the Emperor ought not therefore to demand such concessions from the Catholics and to impose such burdens on their consciences; a general insurrection and a falling away from the faith must be the inevitable result of such a course. If the Protestants would pledge themselves to abide by, and not to alter, the articles of the Interim, the Emperor might safely allow them the concessions therein specified, pending the decision of the Council, nevertheless, only in those places where secession from the Church had already begun. They also insisted that the clergy who had been molested and expelled by the Protestants should be reinstated in their rights, 'and especially that all those persons, in districts where a change of religion had taken place, who either remained true to the old religion or who wished to return to it, should not be in any way punished, molested, or disturbed.'[1]

The Frankfort delegate sent this 'manifesto of the princes and prelates, spiritual and temporal,' to the council of his town, with the words, 'The parsons call the Interim the Interitum,' *i.e.* ruin. The Emperor was greatly displeased with the mani-

[1] V. Druffel, iii. 98 102 See Pastor, *Reunionsbestrebungen*, p. 383.

festo and gave the princes a sound tongue-lashing, informing them at the same time that 'His Majesty had had the Articles communicated to them in order that they might give their opinions about them, but that they must accept and submit to them just as they stood.'

But the demands were too exorbitant.

All that the Emperor succeeded in obtaining was that the Council of Princes, 'for the avoidance of wearisome procrastination and for speedy despatch of the business,' agreed to the more moderate protest of the spiritual Electors, after having first received the assurance that the Interim was not intended for the Catholics and that the Emperor 'had no other object than by this means to win back the seceders to the holy Catholic religion.'[1]

In all this business Charles showed not the slightest regard for Rome. He had given the manuscript of the Interim to the legate Sfondrato to send to the Pope, not, however, as the legate had hoped, in order to procure the Holy Father's opinion, but only to make the matter known to him. Charles actually refused for four whole days to give audience to a nuncio whom Paul III. sent to him to plead for a temporary suspension of his religious edict. He only granted him an interview some hours after the edict had already been publicly announced. As a reason for his behaviour he said that he had not wished to prolong the Diet any further; in the matter of the Interim he had done nothing that

[1] Bucholtz, vi. 235–242. The Bavarian Chancellor, Eck, deserved the vehement reproaches made against him by the Emperor in the address to the spiritual princes communicated by Bucholtz. The plausible Chancellor succeeded in deceiving even a man like the Jesuit Canisius as to his religious attitude.

exceeded the rights of a legitimate and Catholic prince.[1]

On May 15 the edict was proclaimed at the Diet, but not until several passages objectionable to the Catholics had been altered without the knowledge of the Protestant party. After some talk and counter-talk the Elector of Mayence stood up and said that 'the members were grateful to the Emperor for all the trouble and labour he had taken. Whereas they had made over to him the temporary management of the religious disputes, pending the decision of the General Council, it was only fitting that they should obey the imperial decree.' From this declaration, which met with no opposition, the Emperor concluded that his edict was unanimously agreed to.

But this was by no means the case.

The proclamation of the Interim, wrote the Frankfort delegate, 'struck terror to the hearts of all God-fearing and sincere Christians.' 'Nobody,' said Gerhard Veltwyk, one of the Emperor's leading councillors, on June 26, 'likes this Interim.'[2]

Maurice lost no time in testifying his displeasure, and already on May 18 raised objections to the edict. The Margrave Hans von Cüstrin and the Count Palatine Wolfgang of Zweibrücken were also vehemently opposed to the 'poisonous mixture.' The most resolutely antagonistic answer was that of the captive Elector John Frederic. Duke Ulrich of Würtemberg only submitted to it because imperious necessity compelled him 'reluctantly to let the devil have his way in this matter.' Philip of Hesse's policy was to

[1] Pallavicino, lib. x. cap. 17, no. 7.
[2] V. Druffel, iii. xiii.–xiv.

deceive the Emperor by giving his consent in order to obtain release from imprisonment. In a letter to Charles he said that 'he would abide loyally by the Interim and use all diligence to enforce it in his country, if his Majesty would graciously allow him to return home.'[1] At the same time he assured the Hessian preachers who were opposed to the Interim that 'if he came home he would act in such a way as to make them entirely satisfied with him; they would find him a very gracious lord; time altered all things; everything would soon mend.' The Margrave Albert of Brandenburg-Culmbach received the Interim favourably, in spite of the opposition of his preachers. 'Our preachers,' he wrote to Duke Albert of Prussia, 'say that in the Interim the accursed, abominable papacy is set up against the Holy Scriptures, and also against the lawful usages of the ancient Catholic Church. But when we ask at what date this abominable papacy began, and demonstrate from Dr. Luther's books that it is not more than 500 or 600 years old, then it is clearly seen that all the articles that are included in the Interim were held by the universal Christian Church, alike respecting doctrine, administration of the sacraments, and ceremonies, before the beginning of this detested papacy. This being so, we may well ask with what semblance of right these people presume to try and hoodwink us laymen, as they have so long done, in order that they may hug their arrogance and pride and refuse to admit that they have been in error. Meanwhile neither in themselves nor in those who are led by them do we see any special signs of grace or improvement. But, owing to the appalling amount of vice and carnal

[1] Hassencamp, i. 663; Pastor, p. 392.

liberty engendered by the new Gospel, we have become a prey to one insurrection after another, to endless bloodshed, mistrust, and dissension among all classes, and we see plainly and are convinced that something very wicked and unholy must be at the bottom of all this, which goes by the name of the holy word of God. As your Grace is a prince of great intelligence, you will see yourself that, if we listen to our spiritual advisers, we shall never attain to anything like Christian unity, but must for ever be condemned to discord and bloodshed. Seldom does it happen that any two of them agree fully on any single point. If we bring their conduct to the light, we shall be convinced that their main purpose has been to erect a new popery on the ruins of the old: we have all manner of glaring, open examples of this, particularly the new disputes which crop up from all sides, and which are dearer to them than the Holy Gospel. It would have been well for us if we had adverted to this long ago. Verily all is not gold that glitters.[1]

The Emperor met with the strongest opposition from the Protestant towns, whose delegates drew up a petition against the edict, in which amongst other things it was said that, 'as the new doctrines and usages had now been taught and practised in their churches for upwards of twenty-five years, and whereas the people altogether approved of them, no change could be attempted.' The Emperor, however, caused the petitioners to be severely rebuked. 'You must not suppose,' said the Vice-Chancellor Heinrich Hase to the Frankfort delegate, Doctor Conrad Humbracht, 'that his Imperial Majesty will give up an iota of the

[1] Voigt, *Albrecht Alcibiades*, i. 192–193.

authority that has once been ceded to him.' On Humbracht's answering, 'In so far as my lords can do so with a good conscience they will show themselves obedient in all things,' Hase exclaimed, 'Conscience, forsooth! Your consciences are like the sleeves of the Barefooted Friars; they are large enough to swallow up whole cloisters. You had better make up your minds to obey the Emperor, for he is firmly resolved to abide by the Interim even if it should cost him another war. If it has been possible to give up what has existed for many centuries, it cannot be so difficult to renounce what has only lasted a quarter of a century. You must relearn the old lessons.' 'And he went on angrily,' Humbracht relates: 'you will have people sent to you who will be able to instruct you; you will have to learn Spanish'[1]

However the condition of affairs called for far other measures than a resort to military force for the purpose of compelling the seceders from the Church to accept 'the Caroline religious edict.' No good result could be hoped for so long as the education of the people in the Protestant towns and countries remained in the hands of those who for years past had been decrying the papacy and the whole body of Catholic doctrine as idolatry and blasphemy, and who lost no opportunity of stirring up the passions of the mob by word and by writing, and of sowing and fomenting hatred and contempt. The people could not 'relearn the old lessons' if they received no Catholic instruction and had no Catholic priests, schoolmasters, and professors, if nearly the whole influence of the press continued to be exerted on the side of the anti-Catholic system. In

[1] Ranke, vi. 284–288.

order to oppose a dam to the heresies that had grown so rampant and to accomplish the reunion of the Church, it was above all necessary, as the papal legates Aleander, Campeggio, and Contarini had repeatedly declared, to organise a band of pious orthodox clergy, to hold missions for the people, to rebuild schools of different grades for the people, to compile and circulate Catholic books of instruction and devotion. 'Why,' asked the Jesuit Father Faber, who as a zealous missionary had become acquainted with German conditions from personal observation, 'why do we not aim at reforming morals and life itself, instead of wasting our efforts on a reform of doctrine and codes of morals which is not needed? Why do we not return, by means of the old doctrine, which is both old and new, to the early works of older times and the holy fathers?' The chief cause, Faber said, of the apostasy of so many towns and provinces lay in the scandalous lives of the clergy.[1] 'Had we bishops like those of the ancient Church,' wrote Father Canisius, 'an Athanasius, an Ambrose, Germany would soon present a changed appearance; princes and people would gladly listen to the voice of a true shepherd of souls.'[2]

The Emperor had a scheme of Church reform drawn up and proclaimed at the Diet. It contained much that was very good, but it could not be of any thoroughgoing efficiency, because it lacked the legitimate sanction and authority which is the soul of all legislation, ecclesiastical and other. To lay down regulations about the selection and ordination of the

[1] R. Cornely, *Leben des seligen Petrus Faber, ersten Priesters der Gesellschaft Jesu*, pp. 72, 75.

[2] Riess, *Der selige Petrus Canisius*, p. 57.

clergy, about the administration of the sacraments, about Church discipline, censures, and so forth, was not the province of the Emperor.[1]

'With wonderful tenacity,' as Verallo said to Werthof, the Emperor still held firmly to his religious edict, even long after it had been shown to be quite ineffective. When the Pope humoured him so far as to dissolve the Council at Bologna and to announce his intention of holding another at Rome, at which he meant seriously to take in hand the necessary reforms, Charles made the stipulation that no resolution was to be passed at this Council which should be in opposition to the articles of his Interim or to the scheme of reform prescribed by him to the ecclesiastical Estates.[2]

In political questions, however, where tenacity of this sort would have been quite appropriate, Charles did not show it.

But, in spite of all the great accession of power which his victory over the rebel towns and princes had brought him, any idea of subverting the constitution of the Empire and establishing a centralised monarchy was far from the Emperor's thoughts. On the contrary he contemplated organising a 'great imperial league of all the different Estates' by means of which the undisturbed existence of the Constitution, and of all laudable ordinances, liberties, rights, and usages handed down from the past, and which emperors and kings had sworn to respect and preserve, should be safeguarded, by which lasting peace and tranquillity should be secured in the realm, the *Landfriede* and the Imperial Chamber with its executive power be guaranteed respect,

[1] Pallavicino, lib. 2. cap. 2; Raynald, *ad a.* 1548, no. 57.
[2] Ranke, v. 79.

and all oppressors, molesters, and agitators be handed over to condign punishment.

The Emperor had already had this object in view at the time of the Smalcaldic war, when, previous to his leaving Suabia for Saxony, he had summoned an assembly of the imperial Estates at Ulm on March 25, 1547, and sent the Cardinal-Bishop Otto of Augsburg and the Margrave Hans of Brandenburg-Cüstrin to it as his commissioners. As, however, very few of the members put in an appearance, the Diet had been postponed to June 13. The Emperor and King Ferdinand, so the commissioners informed the delegates of the notables, had done their best at that time to preserve the *Landfriede* inviolate in the Empire, but the Elector of Saxony and the Landgrave of Hesse by their rebellion and their turbulence and by inciting other princes and notables to insubordination had thrown the whole of Germany into the utmost confusion; they had refused to be ruled by any recess, they had repudiated all legitimate tribunals of law, had robbed the knights and nobility—that is to say, 'free personages and tenants in immediate fief of the Emperor and the Empire—of their liberties and treated them like ordinary subjects, and had inordinately oppressed their own poor subjects as well as those of other independent lords. For these reasons, and in order that all things should be re-established on an amicable footing, and violence and molestation be henceforth prevented, the Emperor wished to organise a general league on the model of the Suabian League, whose dissolution had been most disastrous to the Empire. The Emperor would join this league with his hereditary dominions of Flanders and Burgundy, King Ferdinand with his Austrian hereditary lands. This new con-

federacy was to bind together all the Estates in one common cause, and all other associations which might have been previously formed must therefore be dissolved. Further, for the pacification of Germany it was necessary that a certain number of troops, both cavalry and infantry, should be jointly maintained by the Emperor and the Imperial League.

The Emperor's power would undoubtedly have been materially strengthened by such a league as this.[1] The matter was pushed so far as to have a plan drawn up for the best means of forming an 'Imperial League;' but further transactions were then postponed to the Augsburg Diet.

'But here too the desired end was not accomplished. The object declared to be of the greatest importance—viz. that peace, justice, order, and unity should be re-established—was set aside because all the members preferred discussing the question of religion, in which respect, as soon as the Emperor was out of the land again, each one would do whatever he liked and whatever he could.' All that the Emperor and King Ferdinand succeeded in obtaining was that the plan for a five years' imperial league, with a covenant of sixty-four articles, was discussed by the Electors and communicated to the princes and notables; but when it came to the point of passing resolutions 'they could not manage to come to any agreement.' Charles contented himself with having his hereditary dominions in the Low Countries incorporated in the Empire under the name of the Burgundian circle, but exempt from all obligation to the laws and constitutions of the Empire, the only stipulation being that in the distribution of imperial taxation

[1] Ranke, v. 13.

they should pay double the amount assessed upon an Elector. The Emperor also succeeded in establishing a general imperial military treasury; and he explained at the same time that the Estates of the Empire were to have the care and use of this treasury and thus be supplied with means for opposing any one who either within or without the confines of the Empire should disturb the general peace or endeavour to deprive the Estates of their liberties. A grant of 50,000 florins was voted to King Ferdinand for defence of the frontiers against the Turks. 'The chief burden of all these subsidies fell not on the Electors and princes, but on the towns, in spite of all their complaints and protests.' 'There is no help or council at hand,' wrote the Frankfort delegate on May 21, 1548, 'to save the poor towns from ruin. May God Almighty have mercy upon them! Amen.'

Among the measures passed at this Diet were bills for a new and improved system of *Landfriede*, and for the remodelling of the Imperial Chamber, the right of appointing its officials being for the present vested in the Emperor. When during the debate on this point the word 'Catholic,' which was used in connection with the appointment of assessors, roused lively recriminations, the Emperor declared that 'for the prevention of all misunderstanding he had decreed that by the word "Catholic" should be meant all those who conformed to the new system of religion, *i.e.* the Interim.'

At the urgent entreaty of the Electors Joachim of Brandenburg and Maurice of Saxony, Charles appointed a fixed day on which the case of Philip of Hesse and his release from captivity should be tried. But 'through these same Electors' own fault everything fell through.'

'If your Graces,' Philip wrote to them, 'were as assiduous in my interests as in feasting and revelry, my affairs would have been amended long ago.' Maurice, says Sastrow, had become enamoured of the Bavarian court ladies. 'On the Sunday morning before the day on which the long begged for decision was to be made Maurice set off in a sledge, for it had frozen hard and there was a sledge track. His minister Carlowitz came from the chancellery and exclaimed: "Where is your Grace going to?" The Elector answered: "I am going to Munich." I was standing in front of the door, so that I and others who were passing to and fro heard everything. Carlowitz said: "Has your Electoral Grace forgotten that to-morrow is the day on which his Imperial Majesty's decision is to be pronounced in the very important affair which your Grace and the Elector of Brandenburg have on hand?" The Elector: "I am going to Munich." Whereupon Carlowitz: "I have been the means of obtaining for you the dignity of Elector; but you behaved with such culpable levity during this Diet that you have brought on yourself the contempt of all worthy people of all nations, as also of their Imperial and Royal Majesties." Whereupon Maurice put the whip to his horses and drove through the gate. Carlowitz called loudly after him: "Go, then, in the name of all the devils."' 'Neither of the two princes,' Sastrow goes on, 'appeared on the day fixed by his Imperial Majesty, and no decision has yet been pronounced in the case of the captive Landgrave. For, as the excursion to Munich and the dialogue between Duke Maurice and Carlowitz were not kept secret from the Emperor, who began to think the reiterated appeals to him had been made more in

jest than in earnest, no other day was fixed for hearing the case.'[1]

Philip and John Frederic remained in captivity. The latter was treated with respect, because he himself maintained a dignified attitude in his misfortune. But Philip did not gain the Emperor's esteem. With the people he had never been held in honour, neither had he deserved to be. But the manner in which he was treated awakened pity and indignation in many minds. His Spanish guard made a practice of publicly humiliating him. 'They were with the Landgrave in his room the whole day long,' writes Sastrow; 'whenever he looked out of the window, and was seen from outside, two Spaniards were invariably seen beside him stretching out their heads as far as he stretched his.'[2] Night and day the guards were relieved to the sound of fife and drum. Everywhere in the Emperor's cortège the Landgrave was seen on a pony between Spanish soldiers with long muskets and fully equipped.

'Why,' it was asked, 'did the Emperor subject the Landgrave to the humiliation of a public apology on bended knee if he meant to treat him thus?' A false report, originating with the Emperor's enemies, spread rapidly through the Empire that a fraud had been practised with a view to surprising Philip in Halle. When Carl von der Plassen, of Cologne, returned home after a long absence, he heard how very generally the belief in this 'surprise' had spread even in the Catholic Rhine

[1] Sastrow, ii. 560.

[2] *Ibid.* 47–48. Bezold surmises (p. 793) that Charles's severe treatment of the Landgrave was in retaliation for the former threat popularly believed to have been made by Philip, 'that if he got his Imperial Majesty in his power he would crucify him between two cardinals.' This speech may have reached the Emperor's ears.

districts. The complaints of 'foreign policy' became all the louder because the Spanish troops on their way back were guilty of so much plundering, immorality, and barbarity, in Saxony and also in the Catholic territories.[1]

'What fruit we have reaped from the great Diet at Augsburg, which all the world was awaiting either in hope or in peace,' says a writer on 'the Imperial Interim religion, 'we see daily before our eyes. The schism in religion, which was to have been healed by this Diet, is greater than ever. The hoped-for protection for the Catholics has not been secured. The Protestants either vehemently oppose the imperial decrees or else submit to them only in outward appearance. The Catholic clergy refuse from conscientious scruples to be "Interim" priests and to dispense the Communion in both kinds. What has been done in the heretical districts to secure the enforcement of the decrees?'[2]

Against some of the towns the Emperor proceeded with firmness, even with rigour. In Ulm he actually caused the preachers who opposed his edict to be thrown into prison. Here, as in many others of the South German towns, the Emperor instituted a complete change in the municipal regulations, in order to break the resistance to the Interim. Constance was placed under the dominion of Austria and became once more a Catholic town. In the larger principalities, on the other hand, the imperial edict remained inoperative. Duke Ulrich of Würtemberg proclaimed it as a code which 'nobody was prevented from conforming to.' The only enduring traces of its existence

[1] Sastrow, ii. 32, 35, 36.

[2] See above, p. 376, note.

in Suabia were the *Simultangottesdienst*, or common occupation of sacred edifices by both confessions in Biberach, Leutkirch, and Ravensburg, and the use of surplice and alb in Würtemberg. In the latter territory the Catholic Church was positively injured by the new regulations.[1] Even Joachim of Brandenburg, the so-called 'Father of the Interim,' only conformed to it in outward appearance, in spite of the reports he sent the Emperor of his zeal and activity in its cause. Not even in his cathedral church did he revive private Masses and the canon of the Mass.[2] Maurice of Saxony proclaimed in his territory, as the authorised code of religion for Saxony, an altered form of the Interim which had been drawn up by Melanchthon and other divines and electoral councillors, and passed by a provincial Diet at Leipzig. In this edict there was no mention of the Pope and the bishops. In spite of the imperial Interim and the Leipzig Interim everything in the Electorate remained just the same as before the war. 'In Saxony,' wrote Melanchthon, 'the condition of the Church is the same as twenty years ago. Nobody thinks of any change.'[3]

Affairs shaped themselves somewhat better in Upper Germany, where the influence of the Emperor's near presence and of the Spanish soldiers quartered about was very noticeable. Nobody dared to make any violent opposition to the Interim, and in many

[1] Boffert, *Das Interim in Würtemberg*, pp. 172 ff.

[2] Fuller details on the introduction of the Interim in Kawerau, pp. 273–291. It was only a question of a 'figmentum obsequii' towards the Emperor.

[3] Pastor, *Reunionsbestrebungen* pp. 400–410. 'At the Convention of Leipzig,' wrote Flacius Illyricus, 'Anton Lauterbach said of the Interim to Melanchthon: "Est collusio cum Satana." To which he answered: "Quite true; but what are we to do?"' Salig, i. 633.

places the new religion was actually suppressed. In many towns the Catholic Church service was revived, cloisters were restored, and episcopal jurisdiction again recognised. Numbers of other towns, however, observed only a semblance of obedience which had not the remotest likeness to real conformity to the Interim. This was notably the case with the influential town of Nuremberg, where neither a single monastic building was restored, nor any concessions made to episcopal authority. The Catholic Church service remained tabooed, as before, and only in a few externals was any approximation to the old Catholic institutions and ceremonies perceptible. The example of Nuremberg was followed by all the Franconian and Suabian free cities under its influence. The correspondence that was carried on among these towns is very characteristic. The Nuremberg council, for instance, recommends that it be represented to the contumacious hot-blooded preachers that the lesser of the two evils was to be preferred, and that they were to remain at their posts and not drive the towns to the necessity of restoring the old faith. The regulations adopted by Nuremberg, in feigned obedience to the Interim, were made known to a number of amicably disposed towns, which then for the most part conformed to them. Nördlingen, Weissenburg, Windsheim, and Nordhausen, in the Harz region, were among the number of these.

The most terrible state of confusion resulted from this temporary religious system. It might happen, for instance, that in Nassau a clergyman would perform the Protestant Church service in one place and read the Mass in an affiliated district.[1]

[1] Boffert, *loc. cit.* p. 172.

In many of the towns the attempt to introduce the Interim provoked the populace to disgusting outrages. In the Church of St. Elizabeth at Marburg, where the Catholic service was revived, acts of gross indecency were committed during the reading of the Mass.[1] In the cathedral of Strasburg the bishop when he appeared before the altar was attacked by a mob and driven out of the church with stones and mud. At Frankfort-on-the-Maine 'it was all the council could do to restrain the turbulent people, inflamed by the preachers.' At the request of the council that, for the avoidance of riots, the preachers would refrain from incensing their congregations against the Pope, bishops, priests, masses, monks, and cowls, the preachers answered that they had nothing to do with the Interim; they only wanted to preach the pure Gospel, pointing out at the same time all that was opposed to it. Equally futile was the council's appeal to them that they would spare his Imperial Majesty and the members of the council denunciations from the pulpit.

'The agitating parsons and lampoonists stood everywhere in the same high honour and repute with the people as before the Smalcaldic war, and the reigning lords,' as the Saxon electoral councillor, Melchior von Ossa, says in his diary, 'were obliged to submit to all sorts of slander and abuse from their clergy; they were completely in awe of them and did not dare say a word.' One of the preachers ordered Ossa's wife whenever she heard the Interim mentioned to spit and say, 'Fie on that Interim!' while all the time the poor woman did not know what the Interim was or meant.'[2]

[1] Kolbe, *Reformation in Marburg*, pp. 67–69.

[2] V. Langenn, *Melchior von Ossa*, pp. 146–148.

All the bookshops overflowed with squibs, lampoons, and caricatures of the most virulent nature against the Interim.[1] Again and again the Emperor enjoined the council of Frankfort to forbid the sale of so many scurrilous pamphlets and blasphemous poems on the Mass.[2]

'The devil himself,' it was said, had 'invented the Interim,' and the Pope, the devil's lieutenant, wanted to introduce it into Germany by force.

The Pope would Germany seduce
None other to obey but him,
God's word remove, and introduce
That odious devilish Interim.
From God far off he would us drive
And falsehood make us learn;
Yet not unpunished will he thrive;
O Christian folk, to God return!

The people were taught to pray as follows:—

Deign, Lord, Thy people in Thy truth to keep,
And grant we may not fall among the devil's sheep;
Nor let us dare submit unto the Interim
To serve the devil and for ever be with him.

In churches these words were sung:—

The Turk has got his Alcoran;
We have the Interim—or the Ban!
Now everywhere Christ's teaching shall
Be joined to that of Belial.

God was entreated to deliver His people from the perfidious artifices of the Emperor:

Lord God of heaven, stand by us
And scourge this Emperor tyrannous.
Confound his raging bold!

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[1] J. A. Salig, *Vollständige Historie der augsburgischen Confession und derselben Apologie*, &c., i. 609–611.

[2] Imperial mandate of September 9, 1548, and August 19, 1551, in the Frankfort archives.

He makes himself like God in heaven;
From out this realm let him be driven;
God from above, behold . . .
Maurice the murderer, Count Hans George,
These wicked scamps, we pray Thee, scourge,
And drive them far away.
The Emperor and King Ferdinand
Send to the devil from this land,
And all these monsters slay!

As a 'God-inspired instrument, filled with the spirit of the holy Luther,' Flacius Illyricus was the principal author and disseminator of these scurrilous publications. Magdeburg was the centre from which he worked. He declared that the Interim was a device for 'betraying Christ and liberating the Roman Barabbas.' He called down maledictions on the Emperor, who as a persecutor of Christ had no part in the Church of God, and all his adherents, 'those blind stiff-necked tyrants, and their Epicurean courtiers and panegyrists, who cannot see the terrible blasphemy and abominable tyranny they are guilty of, and do not tremble before the wrath of God.'[1] Amongst other things Flacius brought out a new edition of 'The Holy Doctor Luther's Representation of the Antichrist,' mentioned in Bk. II. ch. xxi., in which the Pope is depicted riding on a hog and blessing human dung, together with Luther's explanatory verses and inscriptions. This allegorical figure, he said, was not, as had been asserted, 'the wanton fantasy of an old fool,' but was the offspring of divine wisdom. 'No stench is so offensive to our nostrils as the papacy, that disgusting devil's dung, which stinks before God and His holy angels. Hence the bitter spirit which breathes in this picture and in my speech is thoroughly inadequate to denounce the

[1] W. Preger, *Matthias Flacius Illyricus und seine Zeit*, i. 85–111.

abominable ungodliness and spiritual degradation of the Mamelukes who are now apostatising from the Lord Christ to the Antichrist and the devil through the papacy, the Council, the Interim, the Adiaphora, and every other kind of excrement.'

As early as October 1548 the Emperor expressed his fear to his brother Ferdinand that the war and all his efforts for the tranquillisation of Germany might prove after all to have been useless.[1]

[1] 'Ce seroit un grand mal, si toute la paine que avons priese pour reduyre ces affaires d'Allemaigne se perdoit après avoir fait le principal, par faulte de le poursuyvre.' V. Druffel, i. 171.

## CHAPTER IV

### FRESH LEAGUES OF PRINCES AND REVOLUTIONARY PLANS, 1548–1551

WHILE the Emperor was busy passing religious decrees and all manner of regulations and orders, the hostile party was again in full activity.

Plans for the complete subversion of the Empire were being forged.

While still at Augsburg Charles had been informed by St. Mauris, his ambassador at Paris, that the Dukes Ulrich and Christopher of Würtemberg had been soliciting a sum of 200,000 thalers from Henry II. of France in connection with a large confederacy which had been formed against the Emperor.[1]

Simultaneously, in February 1548, Otto the Elder of Brunswick-Lüneburg proposed to the French King to join the German princes in a league which should 'protect the true Christian religion and the liberty of the Fatherland.' Transactions anent this alliance were going on when Otto died.[2]

Hatred against the Emperor was to Henry II. as his daily food, and if he could not succeed in drawing the Turks on Germany again[3] he was at least determined

[1] Despatch of February 15, 1548, in v. Druffel, i. 99.

[2] Voigt, *Fürstenbund*, p. 20, and *Albrecht Alcibiades*, i. 213.

[3] In September 1547 he had sent his ambassador d'Huyson to the Porte to try to incite the Sultan to war against Charles V. Charrière, i. 30.

to try to kindle a fresh great conflagration in the land. His court harboured large numbers of needy and rapacious German adventurers and soldiers, amongst others Hans von Heideck, Friedrich von Reifenberg, George von Reckerode, Count Christopher von Roggendorf, and John Philip, Rhinegrave zu Daun. The Strasburg scholars, Celius and Johann Sturm, still continued in the pay of the French King. In August 1548 the King instructed the abbot of Basse-Fontaine to treat with those two men and ' with other servants of the crown ' concerning a defensive league, and the question of appointing Schärtlin von Burtenbach to the command of French auxiliary troops. He offered the town of Strasburg money and soldiers if it would place itself under the protection of France.[1]

The soul of the conspiracy for the next few years was the Margrave Hans von Brandenburg-Cüstrin. He had already at Augsburg given vent to the sentiment, ' Rather the sword than the pen, rather blood than ink ! ' He was furious with the Emperor not only on account of his behaviour in Church matters, but also from private causes. In various disputes which had arisen in connection with the lordships of Crossen and Cottbus the Margrave had not been able to get his own way, and he apprehended the loss of these possessions.[2] Ever since then his policy had been, as he said, ' to trap the Emperor's footsteps.'

In October 1548 Hans had an interview at Torgau with Duke Albert of Prussia and Maurice of Saxony, and agreed with the latter to negotiate, through the

[1] See Barthold's *Deutschland und die Hugenotten*, pp. 44–59, Sugenheim, *Frankreichs Einfluss*, i. 128 ; Schmidt, *J. Sturm*, p. 80.

[2] Voigt, *Fürstenbund*, pp. 33 and 177, no. 46.

Starost of Poland, a treaty with the Polish crown on the basis of reciprocal help. Maurice had cherished secret resentment against the Emperor ever since the Wittenberg capitulation, on account of his failure to compass the wished-for destruction of the Ernestine branch. He lived in constant dread of the Emperor's being able one day to make use of the Ernestines, especially the prisoner John Frederic, against himself.

In the spring of 1549 Hans and Duke Albert entered into negotiations with Denmark, and despatched Count Volrad von Mansfeld and George von Heideck as their agents respectively to England and France. In October George's brother, Hans von Heideck, wrote from the French court to the Duke of Prussia : ' Let all possible means and ways be resorted to for hastening on the formation of the league against the Emperor ; the King of France was mightily pleased with the scheme, and his orders were that it should be zealously proceeded with.' [1] In January 1550 the Margrave Hans was informed by Heideck that Henry II. had secretly intimated to Schärtlin von Burtenbach at Basle that he had trustworthy intelligence that the Emperor was going to Italy and thence to Spain ; everything, however, had been so arranged that he would not come back from these countries alive.

From which it is seen that an attack on Charles's life was intended.

The Emperor therefore, said Henry II., ' must not be hindered from this journey, and everything must be kept as secret as possible, so that Charles might not grow suspicious.' [2]

But the conspiracy was not merely directed against

[1] Voigt, *Fürstenbund*, p. 34. [2] *Ibid.* p. 37.

the Emperor; the expulsion of the spiritual princes of the Empire and of the whole 'priestly crew' was also aimed at now, as before the Smalcaldic war.

In February 1550 Duke John Frederic II. of Saxony, son of the captive Elector, planned a great military enterprise for rooting out the 'popish parsons' in Germany by means of the princes of the Augsburg Confession. An army of about 10,000 cavalry was to assemble in the neighbourhood of Erfurt, to take possession of the town, overrun the bishoprics of Würzburg, Bamberg, and Eichstätt, and 'massacre the bishops with all the priests and monks and all the execrable popish vermin.' 'Care, however, must be taken that no hand was laid on a single evangelical preacher.' When the work had been accomplished in the bishoprics the town of Nuremberg, which was the fountain of all the evil (saving the preachers in it), must be destroyed and levelled with the ground. In order to avoid bringing the nobility down upon them, it was to be announced in a public document that 'this Christian zeal of the confederates by no means aimed at the suppression of the nobles, but, on the contrary, at defending and protecting them in their ancient "traditions, privileges, and immunities."'

As soon as they had attained their object in Germany they must 'turn their arms towards Brabant,' for the protection of the oppressed Christians there, and negotiate with the Duke of Jülich for a free passage of the army through the duchy of Guelders. The papists in Brabant must be treated in precisely the same way as in the German bishoprics, and when all the lands and bishoprics had been seized they must be made to swear fealty to the confederated princes.

We must also take into consideration how to proceed with 'the devilish mob of South Germany.' They must come to an understanding with the princes of the Palatinate, of Würtemberg, and of Baden, that these three, when the business in hand had been finished in the bishopries of Würzburg, Bamberg, and Eichstätt, and Nuremberg had been conquered, 'should march straight upon Salzburg and the other places that were ruled by priests and deal with them in the manner indicated above.'[1]

The next step was taken on the occasion of Duke Albert of Prussia's wedding at Königsberg on February 26, 1550, when Albert, the Margrave Hans, and Duke John Albert of Mecklenburg entered into alliance for mutual help in case of an attack either on religious or on secular grounds.[2] These princes placed themselves immediately in connection with England and France. In the course of the summer the Dukes Henry of Mecklenburg and Francis Otto of Lüneburg joined the alliance, and great efforts were made to gain the accession of Denmark, the Duke of Pomerania, and the maritime towns. The latter declared that they were ready to sacrifice life and goods in withstanding the Emperor.[3]

The Margrave Albert of Brandenburg-Culmbach, 'finding himself less liberally rewarded by Charles than he had expected, 'also joined at the same time as a secret enemy of the Emperor.' In spite of the imperial order to the contrary Albert had raised an

[1] Memorial of February 15, 1550, in v. Druffel, i. 359–362.

[2] See Kiewning 'Herzog Albrecht's von Preussen und Markgraf Johann's von Brandenburg Antheil am Fürstenbund gegen Karl V.,' in the *Altpreuss. Monatsschrift*, xxvii. (1889), 615 ff.

[3] Voigt, *Fürstenbund*, pp. 46–47; Schirrmacher, *Joh. Albrecht*, i. 76 ff.

army of 4,000 cavalry and 20,000 Landsknechts to fight for England against France, and on March 11, 1550, he held a consultation with the Elector Maurice at Zwickau concerning the use these troops should be put to if England should not need them. In such an event he promised the Elector not to join in any other intrigues, or enter the service of any other sovereign without his knowledge and consent.

A few days before, Maurice, in order that he might have a freer hand in his proceedings against the Emperor and secure a more trusty ally, had made up all differences with his brother Augustus and concluded a secret compact with him 'in view of the peril to land and people.' Augustus, who was initiated into all his brother's plans, informed the Margrave Albert of the intrigues going on between France and Maurice, and received from him the assurance that he would help him with action and counsel.[1] France need not be at a loss for a reason for making war on the Emperor, Albert wrote to the Elector in March. Henry II. could allege that the Emperor 'was setting about to deprive the whole realm of its liberty and to subjugate it to his yoke, a proceeding which he as a Christian king could not contemplate calmly.' But 'besides this,' said Albert, 'there are many excuses which may serve for war. We need have no anxiety on this score. If both the sovereigns are ready to fight, we will soon help them to make the start.' [2]

In a postscript added to this letter the Margrave speaks in detail of the ways and means to be proposed

[1] Voigt, *Albrecht Alcibiades*, i. 207–214; Wenck, *Moritz und August*, pp. 422–427.

[2] Ranke, vi. 297–298.

to the French King for dethroning the Emperor and putting himself in his place. Maurice and Albert were to be the two principal agents; each of them was to solicit his neighbours in the interest of France and to be well paid by Henry II. for the services rendered.[1]

In June Maurice sent an ambassador to Henry II. and offered himself as the 'out-and-out friend and servitor of the French King.' He asked at the same time what compensation he might expect from France in return for 'the contingent he should bring' in case of war between Henry and Charles. The King only answered vaguely that he had made peace with England in order that he might be in a position to come to the help of any German prince who happened to be oppressed.[2] Margrave Albert, who had a further personal conference with Maurice about the French alliance, was inconsolable at war not being at once declared. 'The summer, alas! is going by,' he wrote after his return to the Plassenburg on July 23 to Agnes, the wife of the Elector, 'and peace seems established everywhere; it is most unfortunate. All thought of war appears to have died out. May God have pity on us!'

But the Margrave Hans von Cüstrin received through Schärtlin von Burtenbach more comforting news from the French court than had been imparted to Maurice, whom Henry II. mistrusted. The King, so wrote Schärtlin in June, had declared himself ready to support the German princes with money and troops; but they must not be too long getting under way.

[1] Von Druffel, i. 376–382.

[2] Instructions of the Elector Maurice, in Cornelius's *Kurfürst Moritz*, pp. 27–28; letter of Henry II. to his ambassador Marillac, July 5, 1550, in v. Druffel, i. 433, 10.

Hans caused inquiries to be made through Heideck as to what would be the amount of the King's help in money and troops, and when they were to expect it. Heideck was above all to insist 'that a name should be given to the child.' The Swiss also, so the Margrave was informed, intended to place an army in readiness for Henry II. against the Emperor; and the Duke of Würtemberg was anxious to join himself to the party. Therefore, he emphatically urged, 'they must set to work at once,' or the best soldiers might be taken away from the confederates, for 'misery and need were everywhere abroad, and the devil and his godly children would certainly not waste any time.' [1]

While these conspiracies against the Empire were gaining ground daily the Emperor opened a fresh Diet at Augsburg on June 26, 1550.

Since the autumn of 1549 a more friendly understanding had been established between Charles and the Apostolic See. Paul III., two months before his death in September, had dissolved the Council at Bologna. His successor, Cardinal del Monte, formerly chief legate at the Council of Trent, who ascended the pontifical throne as Julius III. on February 7, 1550, assured the Emperor in his first despatch that he was ready to do everything that his Imperial Majesty thought desirable for the restoration of peace in the Church, if only his Majesty would be loyal to him and would help to remove the obstacles which, according to his (the Pope's) opinion, still stood in the way. If the Protestant members would promise to submit to the decrees of the

[1] Voigt, *Fürstenbund*, pp. 63, 180, no. 104; Schirrmacher, *Joh. Albrecht*, i. 83, and ii. 69, no. 21.

Council, he would be willing to reopen it, either at Trent or wherever it pleased the Emperor.[1]

This declaration was to be the subject of debate at Augsburg.

During the last two years, however, the power and prestige of Charles V. had considerably diminished. In spite of his earnest entreaties to all the spiritual and secular notables to attend this Diet in person, the only ones who made their appearance were the archbishops of Mayence and Treves and the bishops of Würzburg and Eichstätt among the ecclesiastical princes, and Dukes Albert of Bavaria and Henry the Younger of Brunswick among the secular ones. As the Emperor had been particularly anxious for the presence of the Electors Maurice of Saxony and Joachim of Brandenburg, the two heads of the Protestant party, he had sent a special envoy to them, the knight Lazarus of Schwendi, to beg them most urgently to take a personal part in this Diet. Both, however, excused themselves on various pretexts, Maurice saying that he was overwhelmed with most important business at home, and Joachim that he had incurred so much expense through attending the Diets that he had been obliged to impose heavy taxes on his subjects, and his resources were almost exhausted, and also that he could not leave his country on account of the hostile invasion of the Magdeburg rebels.[2]

'With regard to the religious question,' the Emperor said, in his address to the Assembly, 'it had been agreed by the members at the last Diet that there was no better

[1] G. de Leva, *Storia documentata di Carlo V. in correlazione all' Italia*, v. 92 *sqq.*

[2] Schmidt, *Neuere Geschichte der Deutschen*, i. 219–232.

way of settling it than by a general Christian Council. Whereas the present Pope had graciously signified his willingness that, in accordance with the wishes of the Emperor and the Estates, the Council should be continued and ended at Trent, it seemed now to his Majesty that nothing remained to be done but to apply to the Pope for the fulfilment of his promise. With regard to the Interim which had been agreed to at the last Diet, he now found, to his great distress, that by some of the members and the subjects of the Empire it was opposed, by others treated with indifference. The scheme of Church reform also which had been passed was only conformed to by the minority. He therefore asked for the advice of the members as to what was to be done to bring into force the measures that had been resolved upon.' [1]

Respecting the Interim the spiritual Electors answered that 'in the places where they had the patronage of livings they could not procure worthy priests to substitute for the preachers who opposed the Interim. With a view to enforcing the prescribed reform system they had held provincial and diocesan synods, but they had been hindered in the execution of their measures by all sorts of exemptions, privileges, dispensations, and indults.' The envoys of the secular Electors said that their lords had taken a great deal of trouble in the matter of the Interim, but that they had not been able to procure its adoption in all places, because their subjects did not consider this system altogether in conformity with the Holy Scriptures; if they should now use strong measures they would have to fear riots, turbulence, and insurrection. The college

[1] V. Druffel, i. 454–456.

of princes gave as 'reasons for non-observance of the Interim' that in the universities and schools too little provision was made for instructing the pupils in this scheme of religion. The people could not be won over to it, because the preachers inveighed openly against it, and because, in spite of the Emperor's injunctions, so many scurrilous pamphlets were published against it. With regard to Communion in both kinds and the marriage of priests, no opinion had yet been pronounced by the Pope.

The Emperor did not give himself much further trouble for his Interim, for he was beginning to be persuaded that it was of no use. In the recess he confined himself to a general exhortation to the members to further its adoption as much as possible, and promised to take measures for removing all present obstacles and hindrances to its adoption.

But he was all the more eager in pressing for the recognition of the Council, the re-opening of which at Trent had been fixed by a papal bull for May 1, 1551. The members present gave their consent that the former unanimous resolution to consign the settlement of the religious disputes to the Council should be confirmed afresh in the recess. Maurice, through his representative, was the only member who objected, but his protest was drowned in the majority of votes and not recorded in the Acts of the Diet. The Emperor, as the supreme secular guardian of the Church and the Council, put down in the recess his assurance that he would use all diligence to ensure to those members who had been adherents of the Augsburg Confession and their envoys a safe escort to and from the Council, and to enable them, at the

Council, to put forward everything that they deemed necessary for the quieting of their consciences. He intended to give his personal attention to the Council, so that matters might be brought to a satisfactory conclusion.[1]

Meanwhile the secret conspiracy of the princes had made further progress and gained a firm footing.

The French ambassador, Marillac, who was present at the Diet, was unremitting in urging his sovereign to foster Protestant opposition to the Council, to do his utmost to prevent its reopening, and to ally himself with the princes against the Emperor. 'Several princes and town delegates,' he wrote in July 1550, 'have often told me that they cannot be sufficiently thankful that the King is at peace with all his neighbours and has nothing to distract him from considering in what ways, either directly or indirectly, he can thwart the Emperor's plans.'[2]

Johann Sturm of Strasburg also spared no pains to induce Henry II. to form an alliance with the Protestants, encouraging him in the hope of becoming emperor himself. If, however, he would not compete for the crown himself, Sturm urged him to favour the candidature of the Duke of Cleves and to lend the Protestants substantial help in case the election should cause a war.[3] In September the Elector Maurice proposed to the King of France that they should ally themselves against the Emperor. The real object of the war was to be resistance to the undue power of the

[1] Recess of the Diet at Augsburg, February 14, 1551, § 4, 6–7.

[2] Marillac's letters in Ribier, ii. 280–283; Raumer, *Briefe*, i. 22–23; v. Druffel, i. 451, 466, 543.

[3] Schmidt, *J. Sturm*, pp. 86–87.

Emperor; the captivity of the Landgrave of Hesse was to serve as a pretext. 'We mean honestly by his Royal Majesty,' the Elector assured Henry II., 'and by our Fatherland,' he added, 'whose freedom is being crushed.' [1]

Maurice at the same time gave the Emperor hypocritical assurances of unflinching loyalty, as a proof of which he told him that it should be his endeavour to bring back to obedience the town of Magdeburg, lying under the sentence of the ban.

Magdeburg had become the rallying-place of the Protestant zealots, 'the Heaven-blessed centre' from which emanated all lampoons and caricatures against the Emperor and the Pope and all the subscribers to the Interim. 'Here,' wrote Aquila to Duke Albert of Prussia, 'here is the chancellery of God and His Christ.' [2]

This town, since it had been declared under the ban, had suffered much injury 'from neighbouring squires,' and in retaliation 'for the protection of the true Christian religion and the Holy Evangel' it had attacked churches and cloisters and committed execrable atrocities against defenceless clerics both within and without its jurisdiction. The canons described these horrors in a written document which they sent in to the Diet at Augsburg. Even the dead had not been left undisturbed. The corpses of priests and monks were 'hacked about with spades, axes, and shovels;' even the sepulchre of the Emperor Otto, the founder of the archbishopric, 'was inhumanly and brutally

[1] Memorial of August 14, 1550, in Cornelius, *Kurfürst Moritz*, pp. 29–31.

[2] Voigt, *Briefwechsel*, p. 30.

broken open and desecrated with great tumult.' 'In short, such brutality was practised both towards the living and the dead as has never been heard of even from the Turks.' Specially barbarous and inhuman was the behaviour of the town of Magdeburg against the monastery of Hamersleben, in the bishopric of Halberstadt. A body of some thousand armed men forced their way into the building one Sunday during divine service, 'fell on the priests officiating at the altar, wounding some and slaughtering others; trampled under foot the consecrated wafers, ransacked church and monastery, and did damage by robbery and destruction to the amount of 600,000 florins.' After stripping the monks of their clothes and maltreating them in the most abominable manner, tearing up manuscripts and documents, destroying works of art—'amongst others the beautiful glass paintings of the *Via Crucis*'—the marauders loaded 150 wagons which they had brought with them with their booty and then 'dressed up in sacred vestments and monks' frocks, accompanied by jingling music and with shouts of triumph, as if returning from a victory, they went back to Magdeburg.'

'To these people,' said the Catholics, 'frantic with religious hatred and greed of plunder, neither the lives nor the property of the orthodox believers were any longer sacred.'

Just as Duke John Frederic II. of Saxony insisted that the massacre of bishops, monks, and priests should be considered a work of 'Christian zeal,' so these people of Magdeburg in perpetrating their robberies and atrocities designated themselves 'instruments of the divine wrath chosen for the rooting out of idolatry and idolaters.'

During the sitting of the Augsburg Diet rather serious fighting had gone on before the town. On September 22, 1550, the inhabitants of Magdeburg had sustained a serious defeat from Duke George of Mecklenburg, who had been ravaging the town district with an army of several thousand men. 'But they had by no means lost heart or courage.' When the Duke, after his victory, sent envoys to the corporation to beg that 'the town would desist from its unchristian, brutal proceedings and return to obedience,' he received for answer: 'The burghers will not entertain the idea of submitting until they have obtained the assurance that they will be allowed to remain in the enjoyment of their true religion and privileges, and also that their adversaries will be converted to the said Christian religion.'[1] The imperial notables at Augsburg, who, on September 22, had required the town of Magdeburg to send plenipotentiaries to the Diet to negotiate a reconciliation with the Emperor, were in like manner decisively rebuffed; 'not till the troops before the town had been removed,' answered the council and the corporation on October 15, would they send an embassy to Augsburg.

After all friendly advances had been thus repelled the Emperor appealed to the members of the Diet for immediate help against the town. 'To contribute such help against the good people of Magdeburg,' wrote Daniel zum Jungen, the Frankfort delegate, on November 3, 'was verily in many ways most painful.' But to refuse to do so would be 'to excite great displeasure and ill-will in the mind of his Imperial Majesty, seeing that the Emperor already entertained suspicions that

[1] Letter of Daniel zum Jungen, Oct. 28, in the Frankfort *Reichstagsacten*, 63, fol. 27.

some of the Estates, the towns especially, had helped and encouraged Magdeburg in its rebellion.'

Meanwhile the Elector Maurice had also entered the field. He had appeared before Magdeburg, had taken the troops of Duke George of Mecklenburg into his pay for three months, and in conjunction with the Elector Joachim and the Margrave Albert of Brandenburg had begun a regular siege of the town. At the request of the members at Augsburg, and with the consent of the Emperor, he was appointed imperial commander against Magdeburg. The war was to be carried on in the name and at the expense of the Empire.[1] Prompt assistance, Maurice wrote to the Diet on December 8, was imperatively needed. It was the bounden duty of all members of the Empire to join in stemming the defiant proceedings of the outlawed city, or there would inevitably be a general insurrection of the whole Empire. At least 200,000 florins must be sent to him as quickly as possible, so that he might not be obliged to raise the siege and disband his army, which would place the whole country in the greatest danger. The members of the Diet instructed the town of Nuremberg to send the Elector 100,000 florins at once and to pay him a further sum of 60,000 florins during the siege.[2]

On November 28 Maurice had taken possession of the suburb of Neustadt, after which, ' by order of the Emperor,' he had marched with the Margrave Albert against a Christian army of from 4,000 to 5,000 infantry and 500 cavalry, which had assembled in the neigh-

[1] See Issleib, *Magdeburgs Belagerung durch Moritz von Sachsen*, in the new archives for Saxon History, v. (1884), 177 ff.

[2] V. Druffel, i. 542, note 1.

bourhood of Cella under Count Volrad von Mansfeld and Baron Hans von Heideck, and was plundering and burning in all directions. When called on to surrender they answered the Margrave that 'God's word and the freedom of the Fatherland were now being oppressed and persecuted by tyranny, falsehood, and insolent arrogance, but the time would come in which the Christian army would proudly unfold its banners, and the enemies would learn to their cost that God Almighty was their sovereign Lord and Ruler.' After several sham fights near Verden, Maurice took Hans von Heideck with four companies of Landsknechts into his service and initiated him into all his plans against the Emperor.

The negotiations with France were actively continued, and Heideck contrived an interview between the Elector and the Margrave Hans von Cüstrin, which took place at Dresden on February 20, 1551, a few days after the publication of the Augsburg Recess. Maurice assured the Margrave that he would consider by what means he could draw the young princes of Saxony, Coburg, and Hesse and other territorial lords into this association, and what measures should be taken for the liberation of the two prisoners, John Frederic and Philip. Philip of Hesse, who in the summer of 1550 was brought to Mechlin and condemned to pay for an unsuccessful attempt at flight by still stricter custody, had instructed his sons to support any enterprise against the Emperor with all their might. Of the sons of the captive Elector, John Frederic II., who had already in February 1550 sketched out the plan of warfare for exterminating the 'popish priests,' was ready to join in the conspiracy of princes after

Maurice had given his word that he would take active measures for the release of John Frederic, and to procure the Ernestine branch a share of the possessions of the spiritual princes of the Empire as a compensation for the lands they had lost.[1]

Margrave Hans, on his part, pledged himself in the interview at Dresden to negotiate further in the matter of the league with the Dukes of Prussia, Pomerania, and Mecklenburg, and with other princes, and to bring to the Elector a statement signed in their own handwritings to the effect that he had authority to conclude a treaty with the French King in the names of them all. He estimated the help expected from France at 100,000 florins a month, that from England, which he was equally sanguine of receiving, at 50,000 florins. Altogether they reckoned on a military force of 5,000 heavy and 2,000 light cavalry, and 20,000 infantry.

'If the Turk came on further,' said Hans—'and he has already entered Hungary—King Ferdinand would have to stay at home. France would be able to deal with the Netherlands, and our army would devote itself to driving the priests and monks out of Germany.'[2]

Thus the great idea again was to wage universal war against the Catholic clergy, whom Hans denounced as 'Priests of Baal, children of the devil.'[3]

As a proof of his evangelical zeal the Margrave, on June 15, 1551, directed Johann von Minckwitz to pillage and destroy the Church of the Virgin at Görlitz. All the altars, images, and carving were hacked to

[1] Wenck, *Moritz und die Ernestiner*, pp. 7–8, 24–27.

[2] Transactions at Dresden on February 27, 1551, in v. Langenn, *Maurice*, ii. 323–325.

[3] Letter of March 27, 1551, to Maurice, v. Druffel, i. 601.

pieces, all the costly treasures stolen. Minckwitz had great difficulty in rescuing the treasures of gold and silver from the hands of a drunken mob of peasants, who were helping in the work, and conveying them safely to the Margrave at Cüstrin.[1]

Hans would not agree to the wish of Duke Albert of Prussia that the Margrave Albert of Brandenburg-Culmbach should also be drawn into the league. Margrave Albert, he wrote, 'in his life and writings shows an ungodly disposition; he does nothing but revile religion, and he has only lately been heard to say he does not wish to serve God, but the devil.' [2]

At the meeting at Torgau it was resolved by Maurice, Hans, Duke John Albert of Mecklenburg, and the Landgrave William of Hesse to solicit help from France and England with their joint names and signets.[3]

[1] Wohlbrück, *Geschichte des Bisthums Lebus*, ii. 326.

[2] Voigt, *Albrecht Alcibiades*, i. 236. Writing in solemn earnest to Duke Albert, Claus Berner, commander of the forces, informs him that at a banquet the devil had appeared to the Margrave Albert, Elector Maurice, and Duke Augustus in bodily shape. 'That the devil showed himself visibly is a veritable fact, for my gracious Lord has told me so himself.' Duke Albert directed Count George Ernest of Henneberg to make a thorough investigation of the occurrence, and learned that the devil had appeared to the princes in the form of a maiden, fair to behold, wearing green apparel, and with long claws. Voigt, i. 237.

[3] Schirrmacher, *Joh. Albrecht*, i. 133 ff.

## CHAPTER V

### HIGH TREASON OF THE ELECTOR MAURICE OF SAXONY AND HIS ALLIES—THE 'EVANGELICAL WAR' OF ALBERT OF BRANDENBURG, 1552

On May 25, 1551, the conspirators of Torgau prepared a letter of instructions for Frederic of Reifenberg, whom they sent to France as ambassador to Henry II.

The Emperor, it was therein stated, aimed at reducing the German nation to 'perpetual brutish servitude.' When he had subdued the princes it would be the turn of the French King and other Christian potentates. In order to throw off such a tyrannous yoke they had put their backs together, but they were not strong enough by themselves for such a great undertaking. They begged therefore that Henry, whose predecessors had always shown good will and favour to the German nation, would come to their assistance in this urgent need, and would at least furnish them with a monthly sum of 100,000 crowns, and also at once make war in person on the Emperor. For such a service they would show him lifelong gratitude, either 'in the election of another temporal head' or in other ways: they would place land and people, life and goods at his Majesty's disposal. They begged further that the attack on the Emperor might take place before the winter.[1]

[1] V. Langenn, *Moritz*, ii. 327–328. See the '*Artikul, wie die Reiffenberg geendert*,' v. Druffel, i. 697–701.

'At such promises,' wrote Maurice to William of Hesse on June 12, 'Henry's father would have *licked* his fingers; Henry will undoubtedly be caught.'[1]

The conspirators also sent an ambassador to King Edward VI. of England to ask him what amount of help in money or otherwise he 'as a Christian potentate and member of the community of God' would contribute in case they should venture anything 'for the sake of the Divine word,' the extirpation of which the adversaries were bent on. If Edward would enter into an agreement with them and would furnish them from 10,000 to 12,000 infantry, or else a monthly sum of 75,000 florins as long as the war lasted, they would give him equal succour in all his future wars or campaigns.[2]

The Elector Maurice entered at the same time into relations with the King of Denmark, and it was hoped that the King of Sweden also would be induced to join the league.[3]

While the threads of the conspiracy were being spun out in all directions, Maurice was persistently striving to deceive the Emperor by solemn assurances of his loyalty. He would behave towards him as an obedient prince, he swore to him on August 18 and 28, and do everything in his power for the welfare of the Empire. He stood in notorious ill favour and repute, he said, with many people, only or principally because he had not been willing to betray or desert the Emperor and his brother, 'but had always stood so staunchly and faithfully by them, and had at all

[1] V. Druffel, i. 659.
[2] V. Langenn, *Moritz*, ii. 328–332; v. Druffel, i. 659, note 1.
[3] Voigt, *Fürstenbund*, p. 125.

times been ready to be employed in his Majesty's service.'[1]

At the beginning of August Reifenberg returned from France and brought from Henry II. an answer which 'pleased the Elector right well.' The King commended the scheme of the conspirators and promised in a short time to send a man of note as ambassador to them, with a view to negotiating and concluding a treaty.[2] John of Fresse, bishop of Bayonne,[3] came over as the French agent. He was well acquainted with the German language and had already often transacted diplomatic negotiations with Protestant notables. On October 3, at the hunting castle of Lochau, the conspirator princes concluded an offensive alliance with Henry II. for the purpose of throwing off 'with armed force and a powerful hand' the Emperor's 'brutish yoke of servitude,' of recovering their 'ancient freedom' and liberating the Landgrave Philip of Hesse. But that very evening, at table, a quarrel arose between Maurice and the Margrave Hans von Cüstrin, and the latter severed himself from the conspirators, not on account of any changed opinion concerning the league but solely from personal grounds.[4]

On October 5 a new draft of the league with France was prepared by Maurice, John Albert of

[1] V. Druffel, i. 712, 722. Maurice sought in like manner to deceive the Pope, whom he denounced as Antichrist, with secret assurances of devotion to him. Schönherr, pp. 3–4.

[2] V. Druffel, i. 697–701.

[3] See Des Moustiers-Mérinville, *Un Evéque Ambassadeur au XVI^e siècle. Jean des Moustiers, Seigneur de Fresse, Evéque de Bayonne, Ambassadeur en Allemagne et chez les Grisons sous les Règnes de François I^er et Henri II, sa Vie et Correspondance.* Limoges, 1895.

[4] V. Druffel, iii. 264–275. Meyer, pp. 243–244; Schirrmacher, *Joh. Albrecht*, i. 140–151.

Mecklenburg, and William of Hesse. It was specified in it that any members of the Empire who wished to join them in 'their laudable and honourable undertaking' would be gladly welcomed; those, on the other hand, who opposed the league, or who intended, either secretly or openly, to render any assistance to the Emperor and his partisans, would be punished with fire and sword. 'We also declare that we have especially agreed together that in case of the sons of John Frederic the Elder, Duke of Saxony, wishing to take part in this enterprise we shall require them to give us a written assurance, ratified by their Estates, that they will in no way proceed against us, and also to give us good security; if they refuse these conditions we shall regard them as our enemies. After we have received the said assurance we will use our endeavours to release their father from the hands of the Emperor; but the Duke, John Frederic, shall not be set at liberty, nor restored to the government of his land, until he has pledged himself to us to such extent as the good of the common cause requires.' The King of France, as his contribution to the work of 'recovering German freedom,' was to pay 240,000 French thalers for the first three months of the war and 60,000 French thalers for every following month. But Henry II. was to be well remunerated for this help. 'It is considered advisable that the King should as promptly as possible make himself master of those towns which have belonged to the Empire from antiquity, but in which the German language is not spoken—namely, Cambray, Toul in Lorraine, Metz, Verdun, and several others—and that he should hold these as vicar of the Empire. Under this title we are ready to be serviceable to him in the future,

while at the same time reserving to the Empire all rights it may have over these said towns, our aim being only to withdraw them from the hands of our enemy. It will be well also that the King should kindle a fire in the Netherlands, so that the enemy may be kept busy in several places at once and be compelled to divide his forces.' 'Whereas the King is behaving towards us Germans in this matter not only as a friend but as a father, we shall all our lives remember his kindness with gratitude, and shall help him with all our might in the recovery of his heritages which have been wrested from him'—namely, Franche-Comté, Flanders, and Artois—'and in future we shall elect no emperor who is not a friend of the King and pledged to be a good neighbour to him; and if it should chance to be the King himself on whom such an office devolved we should be more loyally disposed towards him than towards any other.'[1]

With this monument of German shame and German treachery to Germany the Margrave Albert of Brandenburg-Culmbach appeared at the French court to bring the matter to a final settlement.'

Opinions as to the ways and means of prosecuting the war against the Emperor and King Ferdinand were sent in by several military experts.

Gabriel Arnold, who had entered the service of the

[1] Bezold (p. 837) says: 'The actual price of the French help lay less in the promise of the princes to be guided unconditionally by the wishes of the French King at the next election of an emperor than in the severance of the towns of Cambray, Metz, Toul, Verdun, which belonged to the Empire although speaking a foreign language. Almost more scandalous than this utterly unjustifiable rending away of territory was the abject flattery that the Most Christian King had behaved in this matter 'not merely as a friend but as a father, together with the wish for a "perpetual" French protectorate.'

Elector Maurice at the same time as Hans von Heideck, advised that 'their Majesties, as the chief enemies of the Empire, must be attacked in their most vulnerable point, and above all, their principal adherents, the clergy, both of high and low degree, together with the merchants and suchlike, must be utterly exterminated and not one of them spared.' Special mandates must be issued 'for the plunder of priests' property and stores of gold and provisions.' In a public manifesto it must be declared that the war was being undertaken for the benefit of all classes of the country, and that they were coming as deliverers to oppose resistance to those 'antichristian hordes who hinder the glory of God and wish to bring the Germans to perpetual bondage.'[1]

'In God's name,' Schärtlin von Burtenbach urged the commander-in-chief, Hans von Heideck, 'manage that the Emperor be struck in the heart, and then we shall soon bring the matter to a conclusion.' The princes, he said, must not make too high demands on the French King's purse. 'I am the faithful Eckhart of the German nation, and my advice is that you offer acceptable terms, and at first avoid giving too much prominence to money matters. Otherwise you will upset the whole bargain. In my opinion the King is sincere. If the princes so desire,

[1] Before the end of September 1551, in v. Druffel, i. 750-751. Ranke, who had the document before him, modifies the text concerning the extirpation of the clergy and the shop people to making Gabriel Arnold merely say: 'In no way must the Emperor's adherents in Germany be tolerated; *if there were any people* who could not be drawn away from him, and won over to the league, such persons must be persecuted and exterminated.' To what people Arnold was alluding Ranke does not say. Arnold made no secret of the fact that he had special designs on the propertied classes.

he will join his forces to theirs at any point they may fix on.

'My advice is to stipulate firmly for his personal succour, and not to delay too long, lest he change his mind.'[1] 'If Maurice and his allies,' said Schärtlin von Burtenbach in November in a memorandum of advice, 'agree with the King to march on Southern Germany, his Majesty of France will also send me in that direction with twenty companies of infantry and 1,000 cavalry to reinforce Maurice and obstruct the defiles, so that the Emperor may be hemmed in. I hope also to send men to Augsburg who will enable you and me to enter the town.' With 'a couple of thousand crowns' he hoped to bribe these said men to open the city gates. The Emperor then would be about to see his South German dominions slip from him. The next step to consider would be his deposition. All the Estates of the Empire must assemble in conclave to decide upon another form of government for the Empire; the whole nation must join in contributing funds for the necessary expenses, and all who did not come forward willingly must be compelled to do their share. For this purpose Henry II. offered to supply 2,000 Landsknechts and 2,000 Swiss, to lead these troops in person through Lorraine and Strasburg, and, in case of need, to unite with the princes themselves in the South. He further promised to send an army into the Netherlands, and another large one to Italy. 'In short, he was ready to stake the whole strength of his resources on the venture. His final decision is that all the operations are to begin on February 1.'[2]

[1] V. Druffel, i. 778–779.

[2] V. Druffel, iii. 302–304. See Schärtlin's memorandum for the

At the same time, in November 1551, the Margrave Albert of Brandenburg-Culmbach, in a memorandum drawn up at the request of Henry II., gave it as his opinion that it was most essential that the King should shut the Emperor out of Germany by blockading the Alpine passes, and that he should gain the adhesion of the Dukes of Bavaria and Würtemberg and the Palatine Elector by dividing the lands of South Germany among them. France would then obtain rich booty. 'If the King,' he said, 'agrees to divide Southern Germany among the princes, they will all be easily won over to the cause, and then all the Italian lands, all the towns named in our treaty, the Netherlands, and all the Emperor's hereditary dominions will be open to the King of France. The princes at all times and at their own expense will lend their help in seizing them by force.' [1]

Meanwhile, on November 3, Maurice, who had only been making a pretence of besieging Magdeburg, concluded a treaty of capitulation with the garrison, on terms which, while seeming from the literal wording to demand surrender, in reality secured peace to the city on favourable conditions. Magdeburg did homage to the Emperor and the Elector, and swore to recognise the latter as its rightful lord until he and the Emperor should be pleased to place over it another suzerain. Maurice had thus become lord of Magdeburg. 'The town and the fortress are in our hands,' John Albert of Mecklenburg wrote to the Duke of Prussia, 'and will henceforth stand open to us for all our needs. Duke

French King, pp. 310–312. 'If the Emperor remains in Italy or at Innsbruck, he must be surrounded, and all the Estates of the Empire instantly called together to help get rid of him, and then we will elect another, and whoever objects shall be declared an enemy.'

[1] V. Druffel, iii. 307–308.

Maurice is holding back the cavalry and infantry until the post comes from France, so that we may then begin the campaign at once without hindrance.' [1]

But to the Emperor Maurice wrote on November 12, 1551, that ' he had effected an entry into Magdeburg and was entirely at his Imperial Majesty's service ; if he wished it he would come to him in person and with the help of God would give him such proofs of his devotion that his Majesty would be well satisfied with him.' He begged his Majesty ' not to believe the reports of those who calumniated him, but to be and to remain his most gracious Lord and Emperor.' [2] On December 28 he thanked the Emperor for the efforts he had made respecting the payment of the troops, and promised very shortly to send his councillors and theologians to attend the Council at Trent, which had resumed its activity in the beginning of September.

In Northern Germany savage bands of mercenaries were beginning to assemble, ' as in the middle of the most gruesome war.' ' I found all districts,' we read in the diary of Melchior von Ossa, ' bristling with warlike preparations.' The troops encamped before Magdeburg not having been paid after the raising of the siege marched off towards Thuringia, levied contributions from the bishopric of Magdeburg, destroyed several villages belonging to Count Günther von Schwarzburg, committed endless acts of villainy in the neighbourhood, and when the town of Erfurt refused to open its gates to them they moved on to Mühlhausen, where they remained a long time and did terrible damage to the town.[3]

[1] Voigt, *Fürstenbund*, pp. 149, 192, no. 282.
[2] V. Druffel, i. 799–800.
[3] V. Langenn, *Melchior von Ossa*, p. 124.

After the difficulties respecting the money supplies to be granted by France had been settled, Henry II., on January 15, 1552, at the castle of Chambord, near Blois, concluded a treaty with the German princes.[1] The Margrave Albert acted as representative of the German nation in swearing to the articles of the treaty.[2]

And now, under the pretext of 'German liberty' and 'the pure Word of God,' there began against Catholics and Protestants a war of such ferocity and barbarity as had never before been waged on German soil. 'Even the savage peasants,' writes a contemporary and eye-witness, 'who stamped the year 1525 with their atrocities, were not guilty of such execrable barbarity, such inhuman gloating over the torment and martyrdom of the unhappy people, as was exhibited in the war of 1552. And they were princes of German blood who perpetrated these horrors on members of their own nation,

[1] V. Druffel, iii. 340–348.

[2] Schärtlin's *Lebensbeschreibung*, p. 194. Barthold in his *Deutschland und die Hugenotten*, i. 74, says concerning this treaty between the conspirators and France: 'From the moment when these princes, blinded by passion and goaded by self-interest, enticed the foreign King into their domestic quarrel, greeting him as the benefactor of the nation, the saviour of German freedom, from that moment political hypocrisy and venality became universal in the Empire. If, alas! the history of the German people and princes has more than one chapter for which it has cause to blush, there is none which is capable of exciting bitterer grief than this *first* monstrous act of self-treachery.' Wilter, pp. 45 46, writes: 'Ought not the price asked by France to have deterred Maurice and his allies, even at the last hour, from rebelling against the Emperor? To suppose this would be to misunderstand Maurice's character. What did that "Judas of Meissen" care for the loss to the Empire of beautiful bishopries as long as his personal interests were well served? No, neither the Gospel nor the captivity of his father-in-law moved Maurice to consent to the cession of four bishopries to France: considerations of personal advantage were so powerful with him that he did not hesitate to betray German lands in order to extend his territories.'

and who heaped such plentiful curses on their heads that their descendants will have to suffer for their iniquity for generations to come.

'Foremost of all in brute insensate conduct in this war was the Margrave Albert of Brandenburg. He was a slave of Venus and Bacchus such as only a few of the princes were even in those unhappy times. He was generally dead drunk the first thing in the morning, and day after day he ordered some poor peasants' village to be set on fire. His principalities of Ansbach and Baireuth were utterly bankrupt, so that he could no longer exist but by plunder and pillage.'

Albert's predecessor, the Margrave George, had robbed the churches and cloisters of his land, and sent the gold and silver monstrances, the chalices, and other treasures of art to the mint to be coined into money, while all the time he had gone on heaping up debts. In the year 1533 the latter had amounted to five million florins.[1]

All the chief abbeys in the principality, with their appurtenances of farms, manors, and forests, had long ago been confiscated for the use of the sovereign lords. Nevertheless 'no prosperity had followed anywhere, but only misery and want.' In the year 1551 the expenditure in the country was equal to three times the income.[2] The extravagant court expenditure of

[1] See Lang, i. 168, and ii. 24, 47, 71; Droysen, $2^b$, 197; Voigt, *Albrecht Alcibiades*, i. 21, 30.

[2] The following tabular statement shows the financial decrease:—

| | Income | Expenditure |
|---|---|---|
| 1535 . . . . | 90,805 fl. | 137,053 fl. |
| 1537 . . . . | 80,840 ,, | 142,638 ,, |
| 1538 . . . . | 79,917 ,, | 157,075 ,, |
| 1551 . . . . | 59,049 ,, | 184,758 ,, |

In Lanz, ii. 116, 232.

the Margraves, their 'bestial carousings,' their 'hunting and gambling, their wars and their feuds,' had reduced the people to the most abject misery. The members of the provincial Diet had already complained on January 1541 that the burden of taxes was intolerable, 'the hearth tax, the tax for pasture, the hundredth penny, &c.,' and that the decline of commerce and industry, owing to the prevailing scarcity and poverty, was compelling multitudes of people to leave the country.

Concerning the religious and moral condition of the people the protocols of the district inspection, the public decrees of the Margraves, and the reports of their councillors give us a terrible picture. 'It was not without a shock' that the Margrave George learnt that 'blasphemy, swearing, and cursing were growing more and more common, and were even frequently indulged in by little children.' 'In all the parishes and districts of the principality,' says the Lutheran abbot Melchior Wunder, 'there is a fearful amount of blaspheming, swearing, drinking, and other forms of immorality.' In the Inquisition Acts of the year 1548 relating to the village of Weissenbronn it says: 'In every house of the village there is a public prostitute.' At Grosshaslach the wife of the pastor was found guilty of flagrant immorality. At Ammendorf the peasants denounced their preacher as a villain, thief, and whoremonger. At Petersaurach three consecutive preachers and their families gave the greatest scandal; one of them committed the administration of the Sacrament to the village-barber. 'At Linden,' says the protocol, 'the people lead such godless lives against the holy ministry and the word of God, and show their pastors such ingratitude, contempt, and impudence, that we never

heard the like; and all this in spite of the rare light of the Gospel and so many Christian ordinances.' The peasants of Erlbach and Wallmersbach miserably murdered their preachers; at Buchheim the preacher was stabbed to death during the village feast. Such was the lawlessness at Ammendorf that no honest man dared show himself in the streets. The inns had become dens of quarrels, fights, and blasphemies. In the course of three years the public executioner of Onolzbach 'had punished 104 individuals by the rack, nine by "territion," nine by the thumb-screw, thirty-eight by the rod, one by cutting off his fingers, another by loss of ears, two by drowning, and fifty-four by other modes of torture, especially the wheel.' [1]

It was inevitable that the people in the principalities and elsewhere should grow demoralised when everything that they had formerly held in veneration was ridiculed and reviled, when there were no longer any schools, when the preachers were no longer respected and individual rights and property were no longer safe, and when the worst possible example was set at the profligate court of the Margraves. Of what use, for instance, were decrees against excessive drinking when 'it was manifest to the whole principality' that Mar-

[1] For fuller details see Muck, i. 332, 394, 535–539, and ii. 7–42, 73, 103. 'In reading the complaints,' says this writer, a Protestant pastor, 'of abbots (that is, the Lutheran directors of the monasteries of Heilsbronn), of margraves, and of their councillors concerning the increase of irreligiousness and immorality in the age of the Reformation, the question is forced upon one whether the complainants did not take too black a view and pass too severe a judgment. To answer this question truly and impartially it is necessary to study the exhaustive documentary transactions, which give full particulars concerning the life and habits of the time in families and parishes. Such study, alas! confirms the opinion that the religious and moral condition of the people in the Reformation age was very melancholy.' Vol. ii. 1, 103.

grave Albert was 'constantly in a state of bestial intoxication'? When a mere lad of fifteen he had drunk to such an extent at the wedding of his sister Maria that for several days he did not recover his senses and his life was despaired of. On this same occasion his tutor, George Beck, his bailiff, Hans von Knörringen, and two other court officials drank themselves literally to death, and all the ladies of the court 'had to be conveyed home the worse for drink.'[1]

Albert's expenditure was boundless. To the poor inmates of the hospital he gave nine florins a year, while he paid his favourite Grumbach the annual sum of 12,000 florins, and an equal amount flowed into the coffers of his broker. The people were taxed and drained with utter recklessness. The officials whose business it was to collect the imposts told the Margrave that they found everywhere the greatest poverty and misery, 'want and wretchedness that were heartrending.'[2]

By the middle of March, while Maurice was still managing to hoodwink the Emperor, the conspirators had completed their preparations.

On March 19 the Landgrave William of Hesse appeared with his troops before Frankfort-on-the-Maine, intending to take possession of the town. He only demanded free passage through the town, so he wrote to the council. When this was refused him he called out in a threatening voice as he rode off: 'The people of Frankfort shall be made to feel the power of God!' The French ambassador also, who was with the army, threatened angrily that this would be remembered

[1] See Lang, ii. 152–153; Voigt, *Albrecht Alcibiades*, i. 43.
[2] Lang, ii. 231–233.

against the burghers.[1] At Bischofsheim William joined the army of the Elector Maurice. The Margrave Albert had written to Maurice on March 17 that if he made haste Augsburg would be won, for that 'all of them, and Bavaria and Würtemberg also, had grown faint-hearted; the Bishops of Bamberg and Würzburg would pay him 100,000 florins in cash, after which he too, the Margrave, would pluck their feathers.'[2]

On March 26 Maurice and William summoned Nuremberg to join the league. The inhabitants paid down 100,000 florins for the guarantee that military force would not be used against them and that the town and its whole jurisdiction would be secure from violence of all sorts. In order to raise the money the Nurembergers took nearly 900 pounds' weight of gold and silver treasures out of the churches of Our Lady, St. Lorenz, and St. Sebald, and had them melted down and sold.[3]

At Rothenburg, on the Tauber, the Margrave Albert joined the confederates with his Landsknechts and cavalry, and the united force stood before Augsburg on the morning of April 1, 30,000 men strong.[4]

Maurice, William of Hesse, and Duke Albert of Mecklenburg published a joint manifesto in which they sought to justify their war on the ground that the Emperor was setting the Estates one against the other, was endeavouring to extirpate the true religion, would not release the Landgrave Philip of Hesse from custody, was robbing the Germans of land and goods, and

[1] Kriegk, *Geschichte Frankfurts*, p. 234.

[2] V. Druffel, ii. 257–258.

[3] See our remarks, i. 196 (Eng. trans., vol. i. 187, 188).

[4] See Issleib, *Moritz von Sachsen gegen Karl V.*, 1552, *im Neuen Archiv für sächs. Geschichte*, vii. (1886), 19 ff.

sucking out their lifeblood, and that he contemplated reducing the whole nation to brutish servitude.[1] The Margrave Albert issued a separate manifesto, in which he described himself as a disinterested servant of the Fatherland, indignantly repudiated the charge of having 'brought foreign nations to subdue Germany,' and made known with greater openness than the other conspirators the intention of effecting a general secularisation of the bishopries in favour of the temporal princes, reserving at the same time to the nobility all the benefices that belonged to them. Whereas this most important and necessary undertaking would possibly, he said, be the means of weakening and breaking the overweening might of the clergy, who now defied all law and justice, human and divine, no lover of right and honour would condemn his actions, 'seeing that the highest and most distinguished bishops and prelates in the Empire had been and still were the chief cause of all the grievous oppression and manifold intrigues in the Holy Empire.'[2]

'Whereas the misery of the German Fatherland,' we read in a manifesto addressed by the princes to Augsburg, 'is known to all justice-loving Christians, everybody, men and women, old and young, must join in praising and thanking the Father of all mercies for that He has vouchsafed to send His Holy Spirit into the hearts of men, and aroused several most laudable Christian potentates, Electors, princes, and notables, and inspired their hearts and minds with the desire for the glory of God and the ancient national prestige.' The people of Augsburg were exhorted to be 'good

[1] Hortleder, *Rechtmässigkeit*, pp. 1294–1298. See von Druffel, iii. 374.
[2] Hortleder, *Rechtmässigkeit*, pp. 1298–1302.

Christian furtherers' of this work as 'loyal, honourable, and valiant citizens and born Allemanians.'[1] The town surrendered on April 5; the municipal council, which had been deposed by the Emperor, was reinstated and the Lutheran Church-service restored.

The first resolute opposition that the confederate princes met with was from the Protestant town of Ulm, which persisted in loyalty to the Emperor and the Empire, repudiating the summons to surrender and to pay 300,000 florins.[2] 'In punishment of this outrage' the Margrave Albert stormed about the town with his hordes, burning and ravaging all the district round. In a short time more than thirty villages and boroughs lay for the most part in ashes. The people of Ulm, he said, were enemies of the 'divine word.'

'They devastated the district of Ulm,' wrote the Emperor, 'with more inhuman brutality than even the Turks had ever been guilty of.'[3]

After the fruitless beleaguerment of Ulm, Albert separated from the other princes in order to prosecute 'the holy evangelical war' by fire and sword according to his own method. He extorted 18,000 gold florins from Geislingen, burnt the Cistercian monastery of Königsbronn to the ground, and then directed his steps towards Franconia. At Geisslingen he had an interview with Duke Christopher of Würtemberg, who posed as an out-and-out devoted adherent of the Emperor,[4] while in secret he had granted the

[1] Von Druffel, ii. 309.

[2] Häberlin, *Neueste Reichsgeschichte*, ii. 163–165; Voigt, i. 279–282.

[3] Cornelius, *Zur Erläuterung der Politik des Kurfürsten Moritz*, p. 275.

[4] See B. Kugler, *Christoph, Herzog zu Wirtenberg*, i. 182–184; Lanz, iii. 134.

Margrave a loan of 60,000 florins for his military equipment.[1]

On April 30 Albert summoned the counts and knights of Franconia to ally themselves to the French King and the league of princes. All who refused to join were to be punished by the burning of their property and expulsion. Whoever dared appeal to the Emperor, to the King, or to his feudal lord for protection would be looked on as an enemy. For the 'welfare and freedom of the Empire were at stake, and everything must give way to that.'

It was above all things of consequence to the Margrave 'to chastise the insolent shopkeepers of Nuremberg' and 'to utterly demolish the bishops of Bamberg and Würzburg with all their documents.' The princes, Albert announced on his departure from Ulm, had commissioned him before everything 'to make a clean sweep of the bishop of Bamberg, and to pitch into him in good earnest.'

On May 11 he encamped before Nuremberg with an army of about 12,000 infantry, under the pretext that he had nothing to do with the former compact arranged between the town and the confederates; that the supplies of money granted by the town did not satisfy the demands for 'the maintenance of the liberty of the Holy Empire and the establishment of the true Christian religion.' The burghers 'were not at liberty to buy themselves off.' 'The whole business had been an abominable and perfidious trafficking with German freedom.' While the siege dragged on from week to week separate detachments scoured the country for miles around, carrying with them fire and devastation.

[1] Voigt, *Albrecht Alcibiades*, i. 259, note 2.

'For two miles round Nuremberg,' wrote the Margrave Hans von Brandenburg-Cüstrin, 'all the villages, boroughs, summer residences, and woods are burnt down to the ground.' Three thousand acres of the town forest were destroyed by fire.[1]

From the camp before Nuremberg, Albert, on May 12, summoned the bishop of Bamberg to give help and encouragement for the 'maintenance of the liberties of the German nation,' and to unite himself with France and the German confederates. On the bishop's declaring that such a step was incompatible with his duty to the Emperor, the Margrave despatched into the bishopric a strong body of cavalry, which took possession of Forchheim and other towns and districts, plundered them right and left, and 'set fire and flames lustily at work in them.' If the bishop did not renounce his allegiance to the Emperor, Albert announced, he would drive him out and set the whole bishopric in flames. In order to prevent the execution of this threat the bishop agreed to a treaty (May 19) by which he made over to the Margrave twenty towns and districts of his diocese—more than a third of the whole bishopric—with all rights and revenues, and promised in addition the payment of 80,000 florins. The bishop of Würzburg was compelled by Albert, on May 21, to pay down 220,000 florins and to make himself answerable for the repayment of a sum of 350,000 florins which the Margrave owed. The burghers of Würzburg were obliged to give up all their household plate, the churches and monasteries their treasures, the cathedral itself the silver statue of St. Kilian, in order to raise the necessary funds.[2]

[1] Voigt, i. 283–284; Lanz, ii. 235.

[2] Voigt, i. 296–302, 318.

'Such proceedings,' Albert boasted, 'were incumbent on an honourable prince who had the glory of God at heart, and was zealous for the spread of the Divine Gospel which God the Lord in our age has allowed to shine forth with such marvellous light.'

The siege of Nuremberg went dragging on. 'We remain encamped before Nuremberg,' wrote the Margrave to Duke Albert of Prussia on June 1, 'in the fixed determination to bring the town over to the confederate princes, and to compel it to enter into alliance with the most laudable King of France for the maintenance and unification of the holy, true, and apostolic religion, and the rights and liberties of the German nation.'[1]

'In the cause of the holy evangel' the evangelical inhabitants of Nuremberg were treated 'with Turkish brutality.'

An ambassador of King Ferdinand, Ulrich Zasius, who appeared in Albert's camp to urge him to come to terms, reported on June 12 that 'the pitiable havoc which the Margrave is so wantonly and outrageously spreading everywhere round about Nuremberg with fire and sword is enough to melt a heart of stone. I have heard that the poor peasant folk are dying in swarms in the woods and forests from sheer hunger and wretchedness. Dead bodies of peasants are also found with their mouths full of grass. But all this misery only serves the Margrave and his soldiers as food for laughter. The Margrave himself is debauched and dissolute beyond all measure both in speech and in action, and there is scarcely any kind of immorality which does not count as virtue with him and his crew.

[1] Voigt, i. 308.

Above all they glory in interlarding their talk with the names of Satan and the devil, and in inventing all sorts of new oaths and blasphemous language. The execrable brutal slaughter and incendiarism which he perpetrates everywhere he calls his favourite pastime. This I have heard from his own lips.' [1]

In the level country round Nuremberg about 4,000 places had been reduced to ashes. In addition to two small towns and three monasteries ninety castles and manor-houses, seventeen churches, 170 boroughs and villages had been pillaged and burnt down. Murder, outrage, shameless immorality 'formed the daily sport of the so-called *Christian* robber prince and his inhuman hordes of soldiers.'

On June 19 Nuremberg paid the price of 200,000 florins to secure the departure of the 'robber prince.' From the towns of Bamberg, Würzburg, and Nuremberg Albert had within two months realised a gain of 1,000,000 florins 'for the maintenance and unification of the holy, true, and apostolic religion.'

After the conclusion of the treaty with Nuremberg he announced to the people of Ulm on June 20 that if they continued in their obedience to the Emperor, 'thus separating themselves from the German nation,' he would visit them with fire and sword for their criminal rebellion, 'would conquer the town with the

[1] Bucholtz, vii. 81–82; v. Druffel, ii. 588–590. The Margrave said 'he would set all Germany on fire, so that the angels in heaven would have their feet warmed by the flames.' Rudhart, *Gesch. der Landstände in Bayern*, ii. 186, note 7. Ranke, v. 230, has the following remarkable words about Albert: 'His was a character in which one forgave all faults because they were not traceable to malice. In his hatred of the ecclesiastical potentates he was the echo of popular passions. He knew this very well, and traded on it.' Do these words altogether suit the atrocities committed against Ulm and Nuremberg?

help of God, and would spare no human being above the age of seven.'

But instead of encamping before Ulm he went off at the end of June in the direction of the Main, burning and devastating on his way. 'I find,' wrote Zasius to King Ferdinand on July 10, 'that the Margrave has little faith in the bishop of Würzburg, and is not even satisfied with the 60,000 florins and the large consignment of artillery he has received.' 'It is pitiable to hear that at Würzburg, and indeed throughout the whole diocese, they have now taken all the gold and silver treasures, all the jewels, caskets, chalices, monstrances, images, and relics out of the churches and cloisters, and turned them all into money. At Neumünster one casket was melted down which was estimated at over 1,000 florins. It is indeed a terrible state of things. Duke Maurice's troops are lying at Mergentheimb and in the Tauberthal. As far as I can hear they cannot go to sufficient lengths in tyranny and brutality. One demon is as bad as the other. But God will know how to punish and make an end of them.' [1]

Simultaneously with the German princes Henry II. had also appeared in the field.[2]

[1] Von Druffel, ii. 668.

[2] 'Unfortunately,' says Ehrenberg in the *Zeitalter der Fugger*, ii. 98, concerning the robbery of Metz, Toul, and Verdun by the French King, 'it can scarcely be doubted, not only that it was German disunity which made this conquest possible, but also that German capital had a share in the government loans which Henry II. took up at that time in spite of the sternly reiterated inhibition of the Emperor. Meanwhile we lack further authentic reports for the year 1552. On the other hand, however, we are in possession of a complete statement of the sum of money which the King owed the tradespeople of Lyons at the Easter quarter.' The list is among the papers of Paul Behaim in the Germanic Museum (Nuremberg). Ehrenberg (ii. 99) gives the complete list of the German and Swiss creditors of the French Crown. The loan amounts to 714,425

The French King, according to the English ambassador, Roger Ascham, in order to do the Emperor as much harm as possible, was ready 'at one and the same time' to pledge himself most solemnly both to the Protestants and the Papists, to the Turk and the devil.[1]

While Henry II. was concluding his league with the Protestant princes he issued the most sanguinary decrees against the new religionists in France and sentenced them to the additional punishment of having their tongues torn out before they underwent their final torture.[2] His alliance with the Protestants in Germany, he caused the people to be told, had no other object than 'the salvation and re-unification of the Church, the welfare and exaltation of the Catholic faith.'[3]

At the same time he assumed towards the Pope and the Council of Trent an attitude which made Julius III. fear that the King of France, after the example of

crowns. Thus not merely Protestant auxiliary troops but German capital provided by Protestant bankers assisted the French King in his hostile proceedings against the Empire. The reward for such transactions was not forgotten. The German tradespeople in Nuremberg, Augsburg, and other towns, who even after the bankruptcy of 1557 had within 1½ year lent the French King 1½ million francs, were 'the laughing-stock of the board of finance' (Ehrenberg, ii. 166): they got back none, or only a trifling part, of the loan. 'Ehrenberg, a Lutheran' (says Ratzinger in *Hist. Pol. Blätter*, pp. 118, 184), 'furnishes us with materials for the appreciation of Protestantism in the sixteenth century more damaging than those produced by our much-abused Janssen. The effect of this documentary evidence of the Protestants' treason to their country will make itself felt in the long run.'

[1] 'For to do hurt enough to the emperor, woulde become at once by solemn leagece protestant, popish, turkish, devilish.' Nares, *Memoirs of William Cecil, Lord Burghley* (3 vols., London, 1828–1831), i. 522.

[2] Before his departure for the war in Germany he gave orders to his Parliament on January 12, 1552, rigorously to enforce the edicts against the heretics, 'sans aucune exception de personne, longuers ny dissimulations quelconques.' Ribier, ii. 377–378.

[3] Ribier, ii. 390.

England, would break entirely with the Roman See.[1] To the great indignation of the French people he had made a fresh league with the Turks and was inciting them again to war against Charles: he wrote to the Sultan that he would raise an insurrection in Germany against the Emperor by means of the German princes.[2]

On February 3, 1552, in a manifesto written in the German language, he announced to the Empire his advent as 'avenger of German liberty and the captive princes.'[3] The title was accompanied by a picture of the 'hat of liberty' between two daggers, typical of Brutus and Julius Caesar.

In this manifesto Henry said that for a long time past the Emperor had been endeavouring to bring on war, but that he (Henry) in his devotion to peace had not, like other monarchs, been solicitous for military revenge and the glory of arms; on the contrary, his whole care and anxiety had been to govern his kingdom with good laws and with justice. Since, however, it had come to this, that the Emperor was seeking to annihilate German liberty, and by insufferable tyranny to reduce the whole nation to perpetual bondage, he had now, by divine direction, resolved to assist his German allies in defending and saving German liberty. He swore by Almighty God that for himself he asked no further reward than the eternal gratitude of those

[1] Cosmo I. to Pandolfini on April 15, 1552, in Desjardins, iii. 303. Henry II. wanted to set up a patriarch of his own in France; see the letter of Luigi Capponi from Orleans, August 7, 1551, in Desjardins, iii. 283, and Schärtlin von Burtenbach's letter from Fontainebleau, September 11, 1551, in v. Druffel, i. 735. In September the King sent word to the Council of Trent that the French Church would not submit to the Council. Maurenbrecher, *Karl V. und die deutschen Protestanten*, p. 265.

[2] Ribier, ii. 294–300, 310–312.

[3] Von Druffel, iii. 370.

whose deliverer he should become, and the immortality of his own name. Nobody, moreover, need fear violence from him. But, on the other hand, 'wherever he met with any persons so lost to all sense of honour as to be the enemies of their Fatherland and to presume to hinder and obstruct his and his allies' righteous undertaking, or to support the cause of the Emperor, such persons he would pursue with fire and sword and cut off as dead members from the healthy body.' [1]

'O thou noble Fatherland,' so runs a pamphlet of the day, 'open thine eyes and see with what cunning devices the French King and his allies are luring thee on to anguish and wretchedness of body and soul. They are thrusting on thee a "gospel" which is of such insurrectionary nature that in his own country the King of France denounces and persecutes it with fire and blood. But he knows well that numbers of Germans are entirely in favour of their so-called gospel; and so the crafty, designing man, hand in hand with his allies, is enticing our poor peasant folk with sweet poison and tempting baits, in order to ensnare and enchain them, and wean away the most excellent German nation from the merciful yoke of the pious Emperor into the bitter servitude of perpetual French bondage.' [2]

On March 13 Henry began his 'disinterested work of deliverance' with violence and perfidy. He advanced into Lorraine with an army of 25,000 infantry and 10,000 cavalry; he besieged the imperial cities of Toul and Verdun, deposed Christina, the reigning Duchess of Lorraine, placed a garrison of 4,000 men in the town of Nancy, and then proceeded to Metz, which town had

[1] Hortleder, *Rechtmässigkeit*, pp. 1290–1294.
[2] Von Druffel, iii. 384 ff.

meanwhile been treacherously captured by the Constable Montmorency, who had promised only to march peaceably through the streets.[1] On April 18 the King of France ordered the burghers to disarm, and compelled them to swear fealty to the crown of France and to appoint a new municipal council. He behaved altogether like an absolute sovereign. 'I shall treat you as my own subjects,' he said to the inhabitants. 'Now that he was in possession of Lorraine,' he wrote to the confederates, and had become their neighbour, he would show them faithful friendship.

As 'Protector of the Holy Roman Empire and avenger of the liberty of Germany' he now resolved, after these bloodless achievements of French heroism in Lorraine, to extend his dominions as far as the Rhine, and first of all to bestow his disinterested assistance on Alsace. But the people of Alsace were German to the core and they rebelled against foreign oppressors.[2] The King's next step in his 'holy war' would be to march to Strasburg, wrote Montmorency to the council there on April 12, and then on towards the Rhine to fight the common enemy of all; he begged for supplies of provisions adequate to the prosecution of such a work.[3] Henry II. advanced with his whole

[1] Sherer, *Der Raub der drei Bisthümer Metz, Toul und Verdun*, in Raumer's *Histor. Taschenbuch*, Jahrg. 1842, pp. 287 ff. Concerning the wretched plight of the Protestants of Metz under French rule see Winckelmann's *Aufsatz im Jahrbuch für lothringische Geschichte*, 1888–1889, i. 133 ff.

[2] François Rabutin, who commanded a division of the French army in Alsace, relates: 'Les gens des communes commençaient à se mutiner et s'assembler, et où ils trouvaient les soldats escartez, en déspechaient le pays et les assomaient comme pourceaux.' In the collection of memoirs relating to the history of France, by Petitot, xxxi. 138 (Paris, 1823).

[3] Kentzinger, *Documents historiques*, pp. 44–45.

army to within a few miles of Strasburg, 'the strong bulwark of the Upper Rhine,' assured the council of his great love for the German nation, and demanded permission for his troops to revictual within the walls of the city. Warned, however, by the fate of Metz, the Strasburgers did not accede to his request, but strengthened the town garrison and threw up fresh fortifications, in spite of the invectives of the Constable, who accused them of not being worthy to understand the good intentions of the King and the tyrannical aims of the Emperor. 'If we had got in,' says the German field marshal Schärtlin von Burtenbach, who rendered assistance to the French in the conquest of German towns, 'we should never have got out again as friends.' [1]

Disheartened by the failure of his attempt, Henry, fearing to risk the honour of his army against the strength of Strasburg, retreated back again to Weissenburg. Here, at the beginning of May, he received the ambassadors of the Rhenish Electors and the Dukes of Würtemberg and Jülich, who, in answer to the manifesto addressed by Henry to the Empire, proffered the request that he would avoid further bloodshed in Germany; the country was utterly impoverished by war and scarcity, and besides was constantly menaced by a Turkish invasion. He, the Most Christian King, they urged, would certainly not desire that Germany, followed as it would be by the whole of Christendom, should come under the yoke of the Turks. They begged to be exempted from joining the league, for they were so closely bound to the Emperor and the Empire that they could not possibly accede to it without loss of honour and reputation. The King replied

[1] *Lebensbeschreibung*, p. 212.

to the princes, who had sent their deputation from Worms, where they were holding a Diet, that he hoped in four or five days to be with his army at Spires. Till then he begged that they would either remain at Worms or else come to Spires.[1]

The Turk, like the King of France, 'had already begun war against the Emperor.' Henry II. had commenced operations trusting to the help promised him by the Sultan, and in May he summoned the republic of Venice to join the alliance formed between himself and the Sultan, with a view to wresting Naples from the Emperor.[2] The Turkish fleet was to advance against Naples in June; at the same moment the Vizier Achmed appeared with a powerful army on the Danube, captured Temesvar, and seized Lippa, the key to Transylvania and the country above the Theiss. The Sultan, so Casim-Begh announced, after the capture of this town, had never gained a greater victory than this, for he had captured a fortress which was more important than Buda and Belgrade, and the possession of which made him lord of all Hungary and Transylvania.[3]

He had instructed his general, Solyman wrote to the German princes allied with France, to attack the Emperor and his brother Ferdinand with all his forces both by land and water. They, the princes, the friends of his dearest friend Henry II., were also his own true friends and allies: he hoped they would remain faithful to the alliance with France and do as much injury as possible to the lands of their common enemies Charles and Ferdinand: by this course they would win themselves great honour and renown for all future time.

[1] Kugler, i. 203–208. [2] Charrière, ii. 195.
[3] Bucholtz, vii. 302–308.

Henry II. hoped that an era of dazzling victories and vast extension of power had come for France. His galleys, he caused the Sultan to be informed on June 22, would join the Turkish fleet on the coast of Naples; he would also send a land-force of 20,000 infantry and 2,000 cavalry to Naples and gain fresh allies against the Emperor in Italy. He had sent the Sultan's letter to the German princes; he himself had already accomplished great results in his campaign. 'I have made myself master,' he boasted, 'of Metz, Toul, and Verdun, three wealthy and important towns, which I am now having fortified in order to make use of them in future against the Emperor. Besides which, I have so far secured Lorraine that I hope to meet with as loyal obedience there as in my own kingdom. And by means of this province I shall have a free and safe passage through which to press on to the Rhine whenever I wish.' [1]

All this had been brought about by the 'solicitude' of German princes for German liberty.

The Emperor, against whom all these martial movements were directed, had betaken himself to Innsbruck to be nearer to the Council of Trent. He was intent only on general peace and on the attainment of that luckless heart's desire of his which had already made him the victim of so much manœuvring as well from the House of Habsburg itself as from the Elector, viz. the succession of his son Philip to the Empire.[2] To all warnings addressed to him respecting the Elector

[1] '. . . par ce moyen auray le passage ouvert et seur pour aller jusques au Rhin quand je voudray.' (Ribier, ii. 390–394.)

[2] Von Druffel, iii. 161 ff. Egelhaaf, ii. 527 f. Soldau, *Die projectirte Succession Philipp's II. auf dem Kaiserthron.*

Maurice and his intrigues in Germany he turned a deaf ear. He could not and would not believe in the treachery of a man on whom he had conferred so many benefits, and who persisted in his assurances of fidelity and in declaring that he loved him (the Emperor) as dearly as his own father. When the Archbishops of Mayence and Treves were anxious to go away from the Council at Trent and return home, on account of all the warlike doings they had heard of, the Emperor on January 3, 1552, strongly dissuaded them from leaving: there was no cause for alarm; it was only the work of a few turbulent individuals, he said; no reasonable people would allow themselves to be drawn away from their allegiance to him by such senseless proceedings. He had instituted inquiries, through his ambassadors, of princes, notables, and councillors in all directions and had heard everywhere of nothing but loyal and submissive obedience. Notwithstanding that all manner of reports were current about Maurice—possibly because the troops had not been disbanded after the siege of Magdeburg and had committed ravages in many places—the Elector had nevertheless, both by letters and deputations, given such assurances of loyalty 'that if there is any faith and sincerity left on earth,' Charles said, 'we may reasonably hope for perfect submission and good will from him; what your Graces appear to be suspicious of would be an altogether unheard-of proceeding on the part of a German prince. And indeed we cannot for a moment believe anything of the sort.'[1]

The Emperor had invited Maurice to his court and

[1] Voigt, *Fürstenbund*, pp. 159-160, 193, no. 305. Planck, 3[b], 503-504. Von Druffel, ii. 7.

pledged himself to set the Landgrave Philip at liberty. 'In short,' the Elector wrote on January 7, 1552, to Philip's son, William, 'they implore me to come, and assure me that they will grant me anything I ask for your Grace's father.'[1] He had no intention, the Emperor reiterated in a letter to Maurice on March 8, of indefinitely delaying Philip's release. If Maurice and the Elector Joachim would come to him they would find him 'so gracious and equitable that they would be fully satisfied with him: he would not only be immaculately true to his word and honour, but he would at all future times show favour and kindness to Maurice.'[2]

But it was only personal interest and profit, not the liberation of his father-in-law, which led Maurice to make war against the Emperor. Philip himself complained to the Elector that it was he who was to blame for his long captivity. 'If the Electors of Saxony and Brandenburg wished it,' he had written to his son William and his councillors on March 17, 1551, 'they could easily set me free. They ought to be compelled to do as they promised and to go bail for him; if they refuse to do this, tell them that it is they who obliged me to sue for pardon by their refusing to arm against the Emperor, and breaking the promises they had made me. If they go on consulting nothing but their own interests, and are base enough to desert me, when it is only through my excessive loyalty to them that I have come to this dire misfortune, I shall feel constrained to tell His Majesty the truth, and to do things. . . .'[3]

[1] Von Druffel, ii. 16.

[2] Von Langenn, *Moritz*, ii. 335. Lanz, *Correspondenz*, iii. 109–111. Von Druffel, ii. 188–189, and ii. 191.

[3] Von Langenn, ii. 326–327. What things Philip meant to do von Langenn indicates with 'etc.' To the imperial ambassador, Viglius,

'The more threatening the war-clouds grew, so much the more helpless seemed the Emperor's position.'

'My sources of help are completely exhausted,' he wrote to his sister, Queen Maria, on January 28, 1552. Spain, Naples, and Milan are on the brink of ruin; to embark on a war in Germany would be impossible for him; if war should be forced upon him, he would indeed be driven to the extremity of despair.[1]

Never before, he said to his sister in another later letter on February 24, had he been so powerless as now.[2]

On February 26 he sought the intervention of the Elector Joachim of Brandenburg on behalf of the maintenance of public peace. There were all manner of intrigues and conspiracies at work, he said, to attack him, the Emperor, in defiance of all justice and reason, and to throw the German nation into confusion and misery at the perilous moment when an invasion of the Turks was dreaded. He begged the Elector to contradict and allay the current reports concerning the alleged sinister intentions of the Emperor against the freedom of the Empire; to assure the other electors and princes that the Emperor, whatever might falsely be said to the contrary, had in reality no dearer aim than to secure general peace in the land and the traditional freedom of the German nation; as indeed everybody must have seen and experienced ever since he had been in Germany, and even after the victory he had lately won.[3]

Philip spoke indignantly of Maurice and Joachim, who had deceived him. 'Et tourna à se courroucer contre les deux electeurs qui lavoient trompé.' (Viglius to the Emperor, March 25, 1551, in Lanz, iii. 66.)

[1] Von Druffel, ii. 70–71.

[2] '. . . me trouvant despourvu du pouvoir, plus que je ne fus oncques.' (To Maria, in von Druffel, ii. 150.)

[3] Voigt, *Albrecht Alcibiades*, i. 267, and *Fürstenbund*, pp. 166-167.

In his public manifesto also, Charles gave the same assurances 'on his imperial word and honour.' The King of France, he said, was spreading false accusations against him, in order to make him hated by every one, and to incite the Germans to insurrection and civil war; he was lavishing promises on those whom he gained to his side, and holding out great hopes to them, but when he had satisfied his rapacious greed, and, profiting by the general chaos, had subdued the Empire to his yoke, the people of Germany would meet with their just recompense as others had done before.[1]

The Emperor plainly saw that he could not count on help within the Empire. All the princes had grown cowardly and pigeon-hearted. Duke Albert of Bavaria, who had succeeded to the government on the death of his father in 1550, played a double game after the manner of Christopher of Würtemberg. He gave the Emperor assurances of devotion and allowed his vassals to levy Landsknechts for Charles, but at the same time he granted them equal permission to recruit for the incendiary Albert. 'We have maintained so strictly neutral a position,' he wrote to the latter, 'that our subjects have been left free to serve whom they would, at their own risk and peril.'[2] The Rhenish electors showed themselves 'beyond measure feeble and cowardly.' In spite of all the Emperor's solicitations, not one of them resolved to oppose a manly front to the incendiary, devastating hordes of the conspirators,

[1] Imperial manifesto, in Voigt, *Fürstenbund*, pp. 160–162, 193, no. 306.

[2] Von Druffel, ii. 545. W. Götz, *Die bayer. Politik im ersten Jahrzehnt der Regierung Herzog Albrecht's V. von Baiern*, 26 f., 43 f.

and to equip for resistance against the French army which was advancing on the Rhine. 'The Archbishops of Mayence, Cologne, and Treves are writing, lamenting, and entreating for grace,' wrote Schärtlin von Burtenbach from the French camp at Damvillers to the Elector Maurice on June 9, 'and begging to be excused.'[1] These three Archbishops, conjointly with the Palatinate, Würtemberg, and Jülich, sent an embassy to Maurice and his allies on May 7, to inform them that they were ready to act the part of traitors to the Church. The ambassadors were instructed to declare that although these three Archbishops, like all the other Estates, had so far done their best to promote the success of the Council of Trent, they would nevertheless approve of some other means being tried if all hopes were at an end of any good result being achieved by this Council; and they would suggest a General Council which should be held in Germany under the direction of an impartial German president, to whose authority the Pope also should submit. At such a council it would be necessary that, in matters relating to unification in religion, all ecclesiastics should be released from their oaths and duties to the Pope, and that 'all questions should be decided conformably to the divine, prophetic, and apostolic scriptures, and the teaching of the holy Fathers of old.' Their Graces undertook to negotiate all this with the Emperor. If Maurice and his associates would not assent to this plan, the Archbishops 'would be further willing to agree to a National Council, which, however, must be held within a year at the latest.'

The Emperor, deeply dejected and 'in a hopelessly

[1] Von Druffel, ii. 581.

helpless plight,' addressed himself, at the beginning of May, to his brother, asking him what he, as Elector and King of the Romans, could do towards suppressing the disturbances, and whether he would be disposed to act as mediator between himself (Charles) and the Elector Maurice. Ferdinand replied that it would be impossible for him to furnish adequate help against 'these abominable and disastrous intrigues,' for he was obliged to prepare for resisting a renewed attack from the Turks. If Hungary fell a prey to the Sultan, Bohemia and Silesia would be the next victims, and two years would see him denuded of all his dominions. As to mediation with Maurice, however, he was ready with all his heart to attempt it.

He invited Maurice to an interview at Linz on April 18, the same day on which Henry II. entered the imperial city of Metz as a triumphant conqueror. Maurice stimulated a desire for peace and stipulated the following terms, subject to the consent of his co-conspirators: 'The liberation of the Landgrave Philip, friendly relations with France, reform of all shortcomings in the imperial court-government, and settlement of the religious question, not at a general council, but at a National Council, or at another religious conference.' The Emperor, Ferdinand answered, would not refuse to release the Landgrave on proper security, and if arms were laid down. The affairs of religion and of the State were about to be discussed at a Diet. Although it was hard on the Emperor to oblige him to show any consideration towards the King of France, who had seized German territory, he would nevertheless concede this much, that the Elector should find out from Henry II. on what conditions he would be ready

to make peace.[1] The Emperor, interrogated by Ferdinand, persisted in his determination that the religious disputes should not be settled at a national assembly, but at an œcumenical council.[2] The result of the interview at Linz was an agreement that a large gathering of princes should take place at Passau, on May 26, for the purpose of 'abolishing the dissensions and abuses of the German nation,' and that there should be a fortnight's armistice dating from May 11. But, after consultation between the Elector and his allies, this armistice was postponed till May 26, because it was intended meanwhile to strike a decisive blow against the Emperor.

Already on March 28 the government officials of Innsbruck had represented to the Emperor how very necessary it was that he should equip in earnest, for the enemy were intending an immediate attack on the person of his Imperial Majesty; if no resistance was made, this might easily be accomplished. An invasion of the Tyrol by the confederate princes was all the more certain, as they had declared in their public manifesto that they meant to liberate the Elector, then in custody at Innsbruck. Bishop Granvell was instructed to tell these officials that they would do well to make provision for the safety of the land, but as for the Emperor, he was already in readiness to march.

[1] Transactions at Linz in von Druffel, iii. 394–415. Barge, *Die Verhandlungen zu Linz und Passau und der Vertrag von Passau im Jahre* 1552: Stralsund, 1893. This book, dedicated to the memory of W. Maurenbrecher, shows how rightly Cornelius judged when he wrote in 1866: 'It would not surprise me if ere long, by the skilled hand of some impartial historian, the Elector Maurice of Saxony were exhibited in the midst of our Walhalla as the actual hero of the German nation and a shining example for those who come after him.'

[2] Charles's answer to Schwendi and his despatch to Ferdinand, April 25, 1552, in v. Druffel, ii. 427–430, and Lanz, iii. 185–186.

On April 6 Charles left the town with the intention of going secretly to Flanders, where, as he said, 'he possessed at this moment most power and most means of assistance.' He was thwarted, however, by the proximity of the hostile army, and he went back to Innsbruck. The Regency began the necessary preparations, but found itself unequal to coping with the advancing enemy.

On May 18 Maurice and his confederates routed the imperial troops at Reutte, and on the following day they gained possession of the Ehrenberg defile, the last bulwark of security for the Emperor. Maurice sent as a present to the French King six banners taken from the enemy. On May 20 the princes were preparing to march on Innsbruck 'to snare the fox in his hole,' as they scoffingly said. But a mutiny in Maurice's camp delayed their start and saved the Emperor.

When the first news of the fall of Ehrenberg reached Innsbruck, the Emperor instantly prepared to leave the town. Ill with gout and carried in a litter, he crossed the Brenner in pelting rain at 9 o'clock on the evening of May 19. Ferdinand, who accompanied him, had informed the Elector John Frederic that he would be released on condition of his continuing at the Emperor's court a little longer of his own accord. On the way to Villach the Elector visited the Emperor on May 24, thanked him for setting him free, and renewed his tender of service and obedience. Charles uncovered his head and held out his hand to the Elector from his litter. 'There was no need for thanks,' he said to him in German, 'for he had been very glad to release him and would henceforth be and remain to his highness, as well as to his sons and his vassals, a most gracious Emperor.'

'All the world,' wrote Zasius, King Ferdinand's councillor, to John Frederic on June 1, 'rejoices in your highness's liberation, even the priests.' Maurice, however, did not rejoice. One of his suite 'had given information, under seal of secrecy, that he had seen a paper in the Elector's chancellery giving directions that if your grace was found at Innsbruck you were to be taken into Duke Maurice's custody.'[1]

The march of the princes to the Tyrol had been facilitated by King Ferdinand, who for some time past had been playing a treacherous game behind the Emperor's back. He was in secret relations with Maurice, and he had caused the passes of the Tyrol to be left open to the conspirators.[2]

On May 23, Maurice, Duke George of Mecklenburg, and the Landgrave William of Hesse, accompanied by the French ambassador, had entered Innsbruck at the head of two regiments and four hundred cavalry. The troops displayed the lilies of France on their standards. Maurice took possession of all the effects and property belonging to the Emperor and his court, having already in the winter obtained precise knowledge of the extent of their possessions. The Duke of Mecklenburg was not slow in appropriating his share of the booty. Although the princes had solemnly promised not to touch the property of the king or of his subjects, the Duke forced his way into the royal palace, broke open

[1] Von Druffel, ii. 543–544.

[2] Schönherr, pp. 91 92. Further details in J. Witter's *Die Beziehungen und der Verkehr des Kurfürsten Moritz von Sachsen mit dem römischen Könige Ferdinand*, pp. 41 ff., 54, 61, 67, 73 74. Ferdinand had allied himself with Maurice to secure his help for the protection of Hungary against the Turks and to thwart the Emperor's plans for the succession.

two travelling trunks with his own hands and emptied them of their contents. The Landgrave William also fell on the booty and took possession of the king's cannons, bullets, and arquebuses.[1]

At Trent there was great apprehension lest the movements of the Protestant army should be directed against the seat of the Council. At the news of the warlike proceedings in Germany, Pope Julius III. had decided to prorogue the Council. The assembly itself announced its own adjournment on April 28, under protest of only twelve Spanish bishops, and most of the Fathers left the town. After the capture of Ehrenberg, prelates and inhabitants fled from Trent and took refuge in the mountains and forests, or in fortified cities.

Maurice, as it appeared, had meditated a march to Trent, but as he had not succeeded in taking the Emperor prisoner, he desisted from further enterprises and notified to King Ferdinand that he was willing to allow the armistice to begin on the day fixed, May 26, and to come to Passau.

On May 25 the princes withdrew from Innsbruck, but their promise to spare Ferdinand's subjects, with whom they were not at war, was by no means respected by them. The retreating troops spread fire and devastation far and wide. Whole villages were reduced to ashes, churches innumerable plundered, tabernacles desecrated, sacred hosts trampled under foot. The worst outrages were those committed in the monastery of Stams. After the soldiers had ransacked or destroyed everything it contained, they broke open the vault in which the earthly remains of the ruling princes had

[1] Schönherr, *Der Einfall des Kurfürsten Moritz von Sachsen in Tyrol*, 1552, pp. 96–99.

rested for centuries, dragged the corpses out of their coffins, and stripped them of their jewels. In the district of Zwischenthoren, between the two passes of Ehrenberg and Fernstein, the whole population was plundered and driven out, like cattle, from the Alps. The houses were all pulled down, 'and what the soldiers could not smash up with their own hands was damaged and destroyed in other ways, so that it was piteous to behold. And in this way four thousand people, young and old, were plunged into misery; they barely escaped starvation.'[1]

It was thus that the promise of sparing Ferdinand's subjects was kept, and the armistice respected.

[1] Schönherr, pp. 105–106.

## CHAPTER VI

### THE TREATY OF PASSAU, 1552—THE 'INCENDIARY PRINCE' ALBERT OF BRANDENBURG—CULMBACH, 1552–1554

The transactions at Passau, opened on May 27, were personally participated in by Ferdinand and Maurice, by the ecclesiastical princes of Salzburg, Eichstätt, and Passau, and by Duke Albert of Bavaria. All the electors, the Dukes of Würtemberg, Cleves, Pomerania, and other princes contented themselves with sending delegates. Ferdinand's son, Archduke Maximilian, was among the number of those who attended in person. Maurice presented the King with his list of stipulations and of complaints concerning the innovations which had been introduced in violation of 'the freedom of the German nation,' and which, as he asserted, had given rise to the present war. The Emperor, he complained amongst other things, had, contrary to his election capitulation, appointed foreigners to administer the affairs of the Empire, and filled the country with foreign soldiers, who even in time of peace had behaved with incredible turbulence. His Majesty had treated the Electors with contempt and conferred imperial fiefs and rights of jurisdiction without their knowledge and consent; it was even rumoured that he intended to establish hereditary succession in the land. The Estates of the realm met with little support from the Emperor. Diets

were convoked too frequently and were of too long duration, and the Emperor at these assemblies had recourse to all manner of artifices for procuring a majority in his favour. He had also forbidden his nobles to serve foreign potentates in time of war. Maurice also made complaints against the Imperial Chamber. He demanded that the King and the princes at Passau should forthwith proceed to scrutinise his grievances and pronounce judgment concerning them. He reiterated the stipulations he had made at Linz respecting the Landgrave of Hesse and full acquittal for all who had taken up arms, and insisted further that all who had been laid under the imperial ban since the Smalcaldic war should be absolved from punishment. He stipulated that any further mention or discussion of the Interim should be prohibited. With regard to religion, he said, the country was now in agreement on all important points. An agreement on the disputed articles could not be attempted at an œcumenical council, but only at a national congress, or at another religious conference. But even if no agreement was effected, a perpetual religious peace must be concluded, with a view to preventing any further molestation on account of religion.

Under the above conditions Maurice was ready to make peace, and to answer for the concurrence of his fellow-confederates.[1] These conditions were decidedly moderate compared with the ideas originally entertained, and which were to have been carried out by means of

[1] Transactions at Passau in v. Druffel, iii. 444 ff. Goetz, p. 50 ff., and G. Fischer, *Die persönliche Stellung und die politische Lage König Ferdinand's vor und während der Passauer Verhandlungen.* Königsberg, 1890 (Dissertation).

a conspiracy against Emperor and Empire; viz. a wholesale subversion of the constitution by the abolition of the spiritual princes, the confiscation of all church property, and the complete suppression of the ancient faith by the extirpation of the Catholic clergy.[1]

Many circumstances conspired to make it advisable to abandon this comprehensive scheme.

When Melanchthon at an early stage in the proceedings had warned Maurice against rebellion and unlawful violence, and had implored him not to take part in an enterprise conducted by people 'who openly avowed that their object was to exterminate the bishops, to partition the bishoprics, and to establish a new empire,' he urged among other reasons that 'as soon as France perceived that the people of Germany wanted to abolish the episcopate there was no doubt that the Pope, the Emperor, and France would coalesce again, for the French King would not be able to endure the annihilation of the bishops.'[2] Melanchthon had judged rightly. Henry II., as monarch of a Catholic country, was not in a position to join in the complete suppression of the Catholic Church in Germany, which the conspirators had planned. If he had not succeeded in prevailing on his German allies, in their public manifesto, to promise protection to the ecclesiastical Estates of the Empire, he had at any rate made this promise in his own proclamation.

The Margrave Hans von Cüstrin, who advocated the expulsion of the priests from the Empire, had grumblingly withdrawn from the conspirators and

[1] Cornelius, *Erläuterung*, pp. 266 ff. Pastor, *Reunionsbestrebungen*, p. 425; and Fischer, *loc. cit.* p. 62 f.

[2] *Corpus Reform.* vii. 903.

formed a coalition with the Emperor, in the hope of receiving in reward the lands of his relative Albert of Brandenburg-Culmbach.

Duke John Frederic the Second (*der Mittlere*), who had been one of the first among the princes to concentrate his energies on compassing the wholesale massacre of the Catholic clergy, was crippled in his action by his father's orders not to assist in any scheme against the Emperor.

Instead of the three armies which the conspirators had expected to raise, only one appeared in the field, and the whole nation raised a cry of indignation at the horror of such a war.

The plan of surprising and capturing the Emperor at Innsbruck had miscarried, and this failure had wrecked Maurice's hope of getting the captive Elector into his hands. The release of John Frederic, who was denouncing him to all the world as a treacherous Judas, was a terrible blow to him. He feared that the Emperor would place him (Maurice) under the ban and restore the electorate to its former possessor. His own rule was detested by the land which had fallen to him as booty. His parliament warned him, with supplicating entreaties, against prosecuting a war which would 'cause the subversion of all order and discipline in the Empire, and for which the instigators would have to answer heavily before God and the world.' To the members of the provincial Diet who had objected to his scheme for garrisoning the fortresses, he had given the fraudulent assurance that 'he had no other object than defence against the Turks; they must not suspect him of any other intention, nor must they give occasion for animadversion.' Maurice had indeed, as King

Ferdinand said, 'reason to be afraid of his own subjects.' Were he to be outlawed by the Emperor, and John Frederic sent back to Saxony as the reinstated Elector, the latter would be sure of a numerous following among his former subjects, and the Albertine branch might easily share the fate which Maurice had destined for the Ernestines, namely complete ejection from their dominions and inheritance.

All these reasons actuated Maurice to give up, for a time at any rate, the original comprehensive scope of the conspiracy; moreover the French King had disappointed his hopes and had not fallen in with the proposal of his ambassador Glaris, viz. that he should cross the Rhine and by remorseless prosecution of the war reduce the Emperor to a powerless condition; instead of this he had remained content for the present with the unsanguinary results in Lorraine and the seizure of the three bishoprics.

King Ferdinand, hard pressed by the Turks, and the notables assembled at Passau, who were all for 'peace at any price,' recommended the Emperor to accept Maurice's conditions.

But Charles was anxious to secure uniformity of faith in Germany, and to prevent as far as possible the continued existence of different religious parties in the land. Also he had no intention of giving up the whole imperial prestige to 'the insurrectionary French conspirators'[1] and the other princes at Passau, no one of whom had afforded him help against the rebels. He wrote emphatically on the subject to King Ferdinand and to his sister Maria. He declared himself willing to leave the settlement of the religious discussions till

[1] See the imperial manifesto in v. Druffel, ii. 559.

the next Diet, but he could not, he said, make any agreement with the Protestants which would bind him in future to renounce all attempts at healing the dissensions in the faith. It grieved him especially that Archbishops and bishops should advise him to make concessions which he considered at variance with his duty, and which, without any regard for the Estates of the empire so deeply concerned in the matter, would entirely upset the decrees of both the last Diets. 'I have no right to do this,' he said, 'and in no case whatever, and for no earthly consideration, will I act against my conscience and my duty.' 'The adversaries demand of me on the one hand that I should assume unlimited despotic power in defiance of the laws and the decrees of the Empire, whenever such a course fits in with their particular personal wishes and requirements; and on the other hand they complain of my exercising arbitrary power in other directions.' The assembly at Passau is not at liberty to set up its authority over that of the Diet. 'In order, however, that these members may see that I am determined not to be myself in any way the cause of war in Germany, I am ready in all respects, as they shall require of me, to agree in matters of religion to what shall be decided at the next Diet.'

Charles could not be brought to renounce his imperial dignity and prerogative to such an extent as to allow that the complaints raised against him should be adjudged during his absence, and that, moreover, under the pressure of rebellion. 'I see plainly,' he wrote, 'that the majority desire nothing more eagerly than the weakening of imperial authority. But if this is to go to the ground it shall not happen under my

rule, if I can prevent it. I am ready, however, to promise, and to give security for the exact fulfilment of my promise, that if any one has any matter against me I will give him a hearing at the next Diet, six months hence, and will gladly agree to any ameliorations that may be necessary. I shall then exonerate myself from all unjust reproaches that have been made against me, and act in all respects in such a manner that it will be recognised that I am more concerned about the general good of the Holy Empire and the well-being of the Estates than about my own interests.' But 'against duty and against conscience,' he reiterated, he would never act. 'I will rather gather about me the small remnant of forces which still remains at my disposal, and make a stand against my enemies. And if I cannot muster sufficient numbers to give me reasonable ground for expecting success, I will rather leave Germany and go to Italy or Flanders, and wait there to see whether during my absence the mediating princes, who are showing so much party-spirit, will arrive at any better measures. For I am determined not to pledge myself to leave the religious schism for all future time without some sort of remedy.'[1]

'We are in the highest degree disposed to all friendly negotiations,' Charles assured the members of the Passau assembly on June 30, 'and you are well aware how earnestly we strove through the past winter by all means in our power to meet the present rebellion in a conciliatory manner; how many amicable concessions we made, and what forbearance and patience we showed

[1] Letter to Ferdinand of June 30, 1552, in Lanz, iii. 318–327; also v. Druffel, ii. 654–655. Letter to Maria of July 10, v. Druffel, ii. 681–686.

during the whole transaction, in the hope that we might influence the originators of the insurrection and dissensions to come to terms. It is not we, therefore, but our opponents, that you should call upon to desist from all subversive proceedings, to sheath the sword, and to agree to a treaty which shall guarantee all estates of the realm a lasting and equitable peace. The princes must aim at making it impossible that under the semblance of a treaty of peace, affairs should remain in the same state of disturbance as before,' or, indeed, 'should become involved in greater and more grievous disorder and confusion.'

While negotiations concerning the articles of the treaty were going on with the Emperor, Maurice went back to the camp of the princes, and Ferdinand despatched Dr. Zasius to them to try to obtain their consent to the prolongation of the armistice which had been decided on at Passau. On June 25 Maurice invited the ambassador to dine with him at Straubing. The '*Pfaffengasse*,'[1] i.e. the Rhenish bishoprics, he said to him, had better beware of the Margrave Albert, 'for wherever the Margrave appeared it was just as if a tremendous storm were raging.' 'To which I answered,' so Zasius reports to Ferdinand, '"Without doubt a tremendous hurricane; no thunder, lightning, hail, and fire could be more terrible than what I myself have seen of the Margrave's doings." His Electoral Grace answered with a laugh.'

The Margrave himself boasted to Zasius of 'the abominations of the tyrannical incendiary;' he called them 'his favourite sport.' Maurice treated it all as

[1] 'Parsons' Street.' A name given to this part of the Rhine district on account of its numerous ecclesiastical settlements.—Translator.

a matter for laughter. For the excruciating sufferings of these poor, plundered, persecuted, tortured people, these princes who posed as the champions of the German nation and of true Christianity cared not a jot.[1]

On the following day, Zasius goes on to write, 'all the warrior princes breakfasted with the Elector, and they all drank heavily and were very jovial. After breakfast they proceeded to gambling and did not leave off till it began to grow dark. Then they commenced their evening libations; they had their late supper with George of Mecklenburg and sat on till eleven at night. Duke Otto especially found it a hard matter to stand upright on his legs.'[2]

Amid these princely diversions the business of the treaty received occasional slight attention. Maurice told Zasius that he approved of the prolongation of the armistice till July 3; that he thought the chief point had been gained; and that he hoped in a short time to return to Passau with the ultimatum of the princes.

On the Elector's return to Passau he found matters exactly at the point where he had left them with the Emperor. Ferdinand now resolved to obtain his brother's consent to the treaty by personal persuasion at Villach. Maurice went back a second time to the

[1] This utter want of feeling was the cause of the cruelties inflicted by the princes on the peasants by their hunting expeditions. Respecting Maurice, see Arnold, pp. 1171–1172. Although otherwise a panegyrist of the Elector, he says, concerning the punishment of a peasant who had killed the Elector's stags for the protection of his fields: 'Mauritius, ut poenae atrocitate alios deterreret, vivum cervum adduci et rusticum inter cornua ejus ligari jussit. Quo facto liberum dimisit cervum et canibus in sylvam fugavit, ut crudeli mortis genere miser ille inter arbores et dumeta discerperetur.'—'Quod passus sit agrestium hominum agros hortosque delectationis suae causa, praeterquam aequitas suaderet, belluis devastari, nemo certe pobare potest.'

[2] Bucholtz, vii. 97 ff.; v. Druffel, ii. 632, 635–636.

princes' camp, not without the secret wish that the peace negotiations might fall through on account of the Emperor's hesitation. To the King of France, who was 'anxious and perturbed,' he wrote reassuringly: 'The congress at Passau will be of no more profit to the Emperor than was the one at Linz.' [1]

At the end of June Albert of Brandenburg-Culmbach had separated from the rest of the princes and marched off towards the Main. 'Plundering, burning, and slaughtering, he traversed the southern section of the archbishopric of Mayence with his worthy companion Count Christopher von Oldenburg, reducing to ashes all the towns, villages, and manor-houses from which he could not obtain all that he demanded.'

From the Archbishop of Mayence he exacted as much as five tuns of gold, and as the money was not instantly forthcoming he burnt down the towns of Bischofsheim, Miltenberg, and Amorbach, levied a contribution of 100,000 florins on Aschaffenburg, and set fire to the castle there and the houses of the nobles and those of some of the clergy. 'In Aschaffenburg,' we read in the 'Chronicle of Zimmern,' 'Albert burnt down the beautiful old imperial chancellery, which can never be restored, and it is a pity that a beam did not fall on his infamous head.' [2]

The poor peasants were tortured in the most barbarous manner, and the most terrible outrages committed against women and young girls. In the neighbourhood of the town eight villages completely disappeared, even to the effacing of their names.[3]

[1] Barthold, *Deutschland und die Hugenotten*, p. 95.
[2] *Chronicle of Zimmern*, iv. 166.
[3] Kittel, *Die Ruinen des Nonnenklosters im Thiergarten*, pp. 24-25.

Albert, by the instructions of the King of France, summoned the Archbishop of Treves to deliver up to him the town of Coblentz with the fortress of Ehrenbreitstein. On his refusing to obey, the Margrave threatened to come himself and get rid of all the insolent priests. He had nothing to do, he said, with the transactions at Passau and the armistice of the rest of the princes. 'He intended to act in such a way that Germany would be too hot to hold him, and he should cover himself with the protection of France as with a hood.'

Meanwhile the other princes, to whom Maurice had repaired at Mergentheim, had broken up their camp, and, after ravaging and burning the territory of the grand-master, had stationed themselves before Frankfort-on-the-Main in order 'to take possession of the capital city of the empire.' The town was garrisoned by 16 companies of imperial infantry and 1,000 cavalry under Curt von Hanstein, 'the defence-works were all in good condition, and the burghers were loyal to the Emperor and hostile to the rebels and the friends of the French.' Maurice, who summoned the beleaguered citizens to surrender, was answered that he must first become pious and renounce his Judas colours. On July 17 Margrave Albert joined the confederates before Frankfort and the signal was given 'for the work of storming and pillaging to begin.'

On the evening of July 24, delegates from King Ferdinand and from the notables assembled at Passau entered the camp to solicit the princes' acceptance of the terms of peace which Ferdinand had obtained from the Emperor. They received a hearing on the 25th, but before an answer had been given to them Maurice

and Albert, on this and the following day, attempted 'two great assaults' against the town. Both assaults failed; the princes were 'so utterly discomfited,' it is said in a report, 'that they were not in a hurry to come back again.'

This defeat was decisive as regards the action of the Elector. If Maurice had remained master of the town, he would scarcely have agreed to the Emperor's amended version of the treaty of peace. There were two points on which Charles had adhered firmly to his resolutions in spite of all his brother's arguments.[1] He would not agree to promise a perpetual treaty of peace in the event of the attempts at religious unification failing, but insisted that it must be the business of a future Diet, under his own presidency, to settle what should be the next best means for healing the schism. Any other course, he said, would be at variance with his conscience and prejudicial to his religion; the matter, moreover, concerned all the Estates of the empire. If Ferdinand felt that he could conscientiously act as they wished, he would leave the whole business to him and would withdraw from Germany. He remained firm also on the point of not allowing any decision respecting the complaints against himself to be made during his absence: 'these matters also were to be postponed to the next Diet and discussed by himself and the Estates together.'

On July 31 Maurice informed the delegates in the camp before Frankfort that he and his allies would accept the treaty in the form in which they had presented it. On August 2 it was signed. But

[1] Concerning Ferdinand's fruitless endeavours, see the report of Roger Ascham in Katterfeld, pp. 183–184.

Maurice had only yielded unwillingly to the pressure of necessity.[1] On the very same day, in concurrence with the Landgrave William of Hesse, he began negotiations for a fresh treaty with France.

The Margrave Albert of Brandenburg-Culmbach alone remained 'thoroughly true to the French crown.'

After the last unsuccessful assault against Frankfort he had invaded the bishoprics of Worms and Spires, 'from which Count Christopher von Oldenburg had already extorted 80,000 florins.' Albert visited the towns and villages with fresh pillage, incendiarism, and extortion. Eighty thousand thalers were exacted from the bishopric of Spires; the churches were robbed; the ships in the port burnt. It was with great difficulty that the town council succeeded in saving the leaden roof of the cathedral. 'We must have no mercy on those wretched priests,' wrote Albert to Maurice from Spires on July 28; 'we must take all we can lay hands on and confiscate the rest.'[2]

On the same day he demanded of the council at Strasburg that the gates of the town should stand open at all hours to himself and to the King of France; that the town should submit to be garrisoned, and should swear the oath of fealty. Spires and Worms were instructed to do homage to the King of France.[3]

On his return to the camp before Frankfort the Margrave learnt 'with unspeakable indignation that the confederate princes had been treacherous to the crown of France and intended to enter into relations with the tyrannical Emperor and his rabble.' Now

[1] See his letter to his councillors, Aug. 1, 1552, in v. Druffel, ii. 713. Also Trefftz, *Kursachsen und Frankreich*, p. 3, note 1.

[2] Von Druffel, ii. 704.

[3] *Mainzer Relation.*

that Satan had joined in the work they would see, he said, that he would only be ' more intractable.' ' Now and always,' he wrote to Duke Albert of Prussia, ' he would stand up for German liberty and the Christian religion.'

From this moment Henry II. singled out Albert as the only one of the princes on whom to place his hopes. ' We are well disposed,' he informed the Margrave through his ambassador de Fresse, ' to carry out the work we have begun with constancy and heartiness, so that Germany may reap lasting good fruits from our clemency.' He ' held in the highest possible esteem ' the Margrave's ' valiant and laudable deeds,' and promised him ' eternal friendship.' He advised Albert to make an attack on the imperial Netherlands, where he would find rich booty ; the King would help him substantially in the campaign, and would co-operate with him in such a manner ' that they would both of them come off with honour and glory.' On July 29 Albert signed an agreement with the ambassador to the effect that ' he would not withdraw his forces from union with France, that he would command them for some few months in the interests of the King, in order to convince the Germans of his sincerity and constancy.'

' In the cause of sacred liberty ' the German people were to be ' further mercilessly pillaged, burnt out, and massacred,' and the Empire, as the Emperor expressed it, ' thrown under the heels of France.'

' The confederate princes,' wrote Christopher von der Strassen on August 4 to the Elector Joachim von Brandenburg, ' are managing affairs in such a manner that nearly all the best part of the Empire

is being ruined ; the Suabian, Franconian, and Rhenish districts are almost completely laid waste. The fruit lies rotting in the fields, and the vineyards are uncultivated ; nearly all the towns and boroughs are deserted, and goods of all sorts have been packed off to the Netherlands. I in my simplicity do not believe much in this liberty, for I see nothing else than ruin and corruption of the German nation. At one point we are opening the door to the Turks to bring, not Hungary only, but all Germany under their dominion ; at another point we are letting in the French. And before long we shall be so completely crushed that we shall not be able to help ourselves, however much we may wish to do so. It is lamentable that you great lords should look on calmly at your own downfall and do nothing to stop it, but, on the contrary, tolerate all manner of outrageous insolence. It concerns nobody so much as you great lords and princes, and you will soon see whether it is really the freedom of the German nation that is being aimed at, or your own suppression and ruin.' [1]

' On the infamous, accursed head of the Margrave of Brandenburg lies the chief blame of the poverty and wretchedness which befell the people on the Main and the Rhine, and of the utter destruction of twenty-seven villages.' [2]

Maurice was now anxious, according to his promise in the treaty of Passau, to lead his army into Hungary against the Turks. But Albert, who reviled him as a treacherous Judas, stirred up mutiny among the Elector's soldiers encamped outside Frankfort, and Maurice saw no other way of escape than to set fire to his own tent and to the whole camp. About four

[1] Von Druffel, ii. 723–726. [2] *Mainzer Relation.*

hundred sick and wounded men are said to have perished in the flames. The cavalry alone followed the Elector in his flight to Donauwörth; part of the infantry went over to the Margrave. 'All things are going prosperously for us and our allies,' wrote Albert on August 6 to the Duke of Prussia, 'and his most laudable Majesty of France has honourably and gloriously executed all that he promised.' As, however, the confederate princes had broken their word, he must, he said, 'make a fresh start in the matter with the help of the French king.'[1] He intended to continue the siege of Frankfort until August 9 in order 'to empty the shopkeepers' purses,' and, for the honour and profit of his present liege lord of France, to capture the city where kings were elected. 'When once he had got possession of this town, Henry II. would advance in full force to join him.' When his efforts proved fruitless, 'he withdrew with curses and maledictions, to go and conquer Mayence and Treves for the French crown.'[2] He crossed the Rhine, pillaged Oppenheim, 'and left behind him in Mayence, whence the archbishop and nearly all the clergy had fled, the most infamous name and memory.' After he had compelled the burghers to do homage to the King of France, he exacted from them the sum of 12,000 florins, and from the clergy 100,000 gold florins. As the money was not produced immediately, he gave orders to ransack the churches, and set on fire the residential castle of the Elector, the beautiful churches of St. Alban, St. Victor, and the Holy Cross, the Carthusian monastery, and the houses of the prebendaries. All the ships laden with wine and corn 'were sacrificed to Vulcan.' 'Then there was

[1] Voigt, i. 336. [2] *Mainzer Relation.*

heard a woful lamentation among the shipping-folk—men, women, and children—when they saw their vessels, many of which had cost so much and were their chief means of sustenance, being devoured by the flames.' 'There was such a terrible conflagration in the town and such fiendish raging of the incendiary mercenaries and against the people of the town, even against women and children, that many died of fright and others went out of their minds.'

'That was a right princely firebrand we threw into the damned nest of parsons' was the boast of this ferocious bloodhound.

He even wanted to set fire to the cathedral and see it explode in the air, but at the entreaty of the Count Palatine Richard, one of the canons, he gave up this intention.

After laying waste the greater part of the archbishopric of Mayence, he went on to Treves in order, as he said, 'to act a merry comedy there with stark-naked priests, wherever any were left, and ruined temples of idolatry.'

The town council of Treves brought him the keys of the town on August 21. All the abbeys and monasteries and the dwelling-houses of the clergy 'were sacked down to the very last fragment in them.' The monastery of St. Maximin, the priory of St. Paul, the castle of Saarburg near the town, and Pfalzel and Echternach, were consumed by flames.

Whilst he was at Treves he wrote, on September 4, to the Palatine Elector and to the Dukes of Bavaria and Würtemberg, who had begged him to agree to the treaty of Passau, that he would not act in any way without the knowledge and consent of his present liege

lord the King of France. For years past the princes had been working to bring about this league, and now they left the King who 'had helped them so heartily and faithfully' in the lurch. If the enemies attacked had ravaged his principalities of Ansbach and Bayreuth, he would, 'with the help of the crown of France, pay them back in the same coin.' 'And for each house, or village, or town of ours that is burnt down, we shall requite them ten- or twentyfold.' The princes, he said, had better protect his subjects, or they would compel him to march against them, 'for we regard with equal favour the one who does the damage and the one who simply looks on.'

After leaving a garrison of twelve companies at Treves, he proceeded on September 5 to the duchy of Luxemburg, and burnt down Wasserbillich, Grevenmachern, Remich, Königsmachern, and Kettenhofen.

Albert's army had gradually increased to sixty-two companies of infantry and several thousand cavalry, and he was awaiting at Pont-à-Mousson further tenders for his service from Henry II. of France. He had stipulated for the maintenance of his army and compensation in case his principalities were taken from him. The King informed him through Count Frederic of Castell that 'he had heard with delight of the virtue and valour shown by the Margrave in his championship of German liberty, and was heartily willing to take him into his service; he only asked that Albert would not make too heavy demands on his purse, so that the King might be able to carry on the war against the Emperor for several years longer. Although he believed that Albert would be able to get enough, by plunder and by levying contributions and from the bishopric of

Treves, from Alsace and other countries, to provide sufficient maintenance for his army, he was nevertheless ready to pay him down 200,000 florins a month for a campaign against the imperial Netherlands, in addition to a personal monthly salary and an honorarium of 100,000 crowns. Albert, he said, should remember that he had already received great benefits from France, 'for all his extortions had invariably been made in the name of the King!' The negotiations fell through because Albert demanded still larger sums, and because the King would not promise to compensate him for the possible loss of his principalities. Mutual recriminations and charges of ill-faith followed. Henry II. stirred up mutiny in the Margrave's camp and did his best to set his generals against him. 'He would have rejoiced had the Margrave been killed by his own people, so that his troops might have fallen into his hands.' So wrote Albert. He warned all lovers of honour among the German nation no longer to put their trust in the faithless land and government of France.[1] Meanwhile an imperial army had come up in front of Metz on October 19.

With a view to reconquering the towns and provinces which France, through the treachery of the conspirators, had wrested from the Empire, the Emperor had moved his forces out of the Tyrol across Suabia. His army, which consisted of 10,000 cavalry and 116 companies of infantry, had been strengthened by constant reinforcements.

During his stay at Augsburg, where he restored the patrician rule, the Emperor brought the case of the Elector John Frederic to a conclusion. The Elector

[1] Voigt, *Albrecht Alcibiades*, i. 343–361.

had refused to agree to the condition laid down by Charles V. for his complete reinstatement, namely that he should subscribe to all future decisions in religious matters made at a council or at an imperial assembly. But he had given a fresh assurance of consent to the compact with the Elector Maurice respecting the partition of his Saxon lands, and had promised to secure his sons' consent to it also. He also pledged himself never again to form an alliance with anybody on account of religion, nor to molest the adherents of the old faith. The Emperor delivered him over to his own people with the following assurance: 'We too will not attempt any proceedings against your Highness on account of religion, in the confident hope that Almighty God, by His merciful grace, will ordain that the breach in religion shall be healed and bridged over by gentle and pacific means.' John Frederic's whole behaviour during his misfortunes had propitiated many of his former opponents. In his own land he was received back with acclamation. Philip of Hesse also returned to his country on September 10, but he did not meet with a very cordial welcome, and he was above all distressed to find that during his captivity 'those rogues of peasants had destroyed all his game preserves.'[1] The days of his meddling in affairs of Church and State were over.

[1] This was the expression he used in speaking to the jurist, Johann Ulrich Zasius. (Schmidt, *Neuere Geschichte der Deutschen*, i. 300.) The Duchess Elisabeth von Rochlitz writes thus of her brother, the Landgrave, at the beginning of December 1552: 'He rates his sons and Maurice for having marched into the Tyrol and abandoned him; the Landgrave is rather senseless; he drinks himself drunk every evening, but by himself, and that girl von der Sale (whom he passes before the world as his mistress, but in the sight of God considers his wife) is daily with him. (Von Druffel, iv. 22, note 1.)

In Ulm, where Charles made his entry on September 3, 'there was nothing but rejoicing and thanksgiving to God that his Imperial Majesty, whom they had so long patiently awaited, was with them again.' Over 1,000 resident burghers enlisted in the Ulm regiment commanded by Curt von Bemelberg and intended to serve as body-guard to the Emperor during the campaign.[1] The Emperor commended the people of Ulm and also those of Strasburg, on his further march through Alsace, for the loyalty they manifested towards him. After being detained for several weeks by gout, first at Landau and then at Diedenhofen, he reached the camp at Metz on November 20, determined at once to reconquer this important frontier town from France.

'But how could a blessing fall on the enterprise,' asks a contemporary, 'seeing that among those who served under the imperial standard there was now a human monster who had heaped on his head the curses of thousands of innocent men, women, and children, and had been a traitor to God and to all the world?'[2] Through the mediation of the Duke of Alva a treaty had been concluded with the incendiary Albert of Brandenburg and ratified by the Emperor, and the Margrave with his barbarous hordes had entered the service of Charles against France.

Nothing in the whole reign of the Emperor more seriously impaired his reputation in the Empire than did this compact.

At a previous date Charles had pronounced null

[1] Zasius to King Ferdinand, Sept. 13, 1552, in v. Druffel, ii. 759–760.

[2] Despatch of the licentiate, Conrad Emann, Jan. 1, 1553, in 'Moguntina,' from the Senckenbergh.

and void the treaties which the bishops of Bamberg and Würzburg had been forced into by the Margrave on the 19th and 21st of May; he had even forbidden the two prelates, on pain of 'his heavy displeasure and punishment,' to observe these compacts imposed on them by the 'conspirators and allies of the French.' Now, under pressure of necessity, he conceded to the Margrave that these treaties should be 'observed from beginning to end without let or hindrance.' 'By God and his conscience,' the Emperor said in self-justification, 'he could prove that all this had been done from imperative necessity and for the avoidance of worse evil, and not from any bad motive.' The Margrave, surrounded by his redoubtable forces, had refused to agree to any other terms; the troops of Count Volrad of Mansfeld were also enlisted in the service of Albert, who had openly avowed his intention of making a raid not only on the two bishops but also on other Estates of the Empire. Nobody in Germany was prepared to withstand an army of such strength, and he himself (the Emperor), already involved in war with France, was unable to resist it. Under the existing anarchy in the Empire any further proceedings of the Margrave must inevitably result in the total ruin of both bishoprics 'and in kindling a terrible conflagration throughout Germany.' He wrote accordingly to the bishops to assure them that he would do all that was humanly possible to prevent their suffering any injury from his action, and to extricate them as soon as possible from the melancholy situation they had been placed in.[1]

[1] Letters of the Emperor to the Bishops of Bamberg and Würzburg, Dec. 14, 1552, and to Maurice of Saxony, June 17, 1553, in Voigt, ii. 20, von Langenn, ii. 354–358. 'Dieu scayt ce que je sens, me veoyr en termes

One disaster followed another. As the compact with the Margrave had cast an 'incurable blemish on Charles V.'s reputation as the supreme representative of justice,' so the failure of the attack on Metz, in spite of the personal distinction he gained in it, shattered the Emperor's military renown. Through the skilful plan of defence of Duke Francis of Guise, commander of the town, through the inclemency of weather, through sickness in his army and through want of money, the Emperor found himself compelled to raise the siege at the beginning of January 1553. On doing so he disbanded part of the army and was only able to pay the soldiers one crown apiece. The dispersed troops 'sought fresh service wherever war was going on, whether for or against the Emperor mattered nothing to them.'

The western frontier of the Empire was left in an enfeebled state, and France could now press further and further into Germany.

Henry II., on February 28, published a new manifesto against Charles, in which he endeavoured to entice the Germans back again to the side of France, not scrupling to indulge in jests at the serious illness of his opponent.[1]

de fayre ce que je fays avec ledict marquis, mais necessite na point de loy,' wrote the Emperor to his sister Maria, on Nov. 13, 1552. (Lanz, iii. 513.) On Nov. 15 he wrote to Ferdinand that he had only agreed to these terms in order to recover the town of Metz, 'et eviter les dommaiges que, pendant que je suis occupe en cecy, ledict marquis eust peu faire non seulement en mes pais, mais retournant en la Germanie, y treuvant si peu de resistance, comme lon a veu lan passe, et y remectre le tout en plus grande confusion.' (Lanz, iii. 515.) See also iii. 560, and the letter of the Cardinal Bishop Otto von Augsburg in Weiss, iv. 422.

[1] De Thou, *Histor.* i. lib. xii. p. 142. To the town council of Strasburg Henry wrote concerning the Emperor, on Nov. 6, 1552: 'Les États n'ont plus rien à craindre pour l'avenir, ledict empereur etant vieil, caduc

He had found in Germany, so he said, new and noble friends, opponents of the tyrannical imperial yoke, princes who were convinced of the disinterested love of France for the German nation, and who were full of gratitude to him for his support.

To the number of these friends belonged first and foremost the Elector Maurice of Saxony. On the very same day on which he had signed the treaty of Plassau, Maurice had set on foot negotiations which aimed at fresh treachery and fresh gain. During his campaign against the Turks, undertaken by him much against the grain and conducted with scant honour, he was in treaty with Henry for 'another and a firmer alliance' than the earlier one formed at Lochau, and was reckoning largely on 'Friend Hildebrand,' as he called him. 'Our business with Hildebrand is prospering well' he wrote on October 30, 1552, from the camp at Raab to the Landgrave William of Hesse, who was also plotting treachery with France in spite of having agreed to the Passau treaty: 'we have received such a friendly letter from him that we would not exchange it for a pile of gold.'[1] To an ambassador of Henry II., Cajus de Virail, who appeared at Dresden at the beginning of 1553, he pledged himself not to give the Emperor any assistance against the King, but, on the contrary, to do all in his power to facilitate Henry's campaign; he also reiterated the assurance

travaillé de malladie importable et hors d'état pour entreprendre leur remectre le joug dont ilz sont délivrés par notre moyen.' The town, he said, was not to give the Emperor any help for the reconquest of Metz, Toul, and Verdun, for the King intended to keep them himself, 'les préserver et défendre contre l'oppression de la maison d'Autriche, *empeschant par la que l'empereur ne les ruyne, ainsi qu'il a delibere faire.*' (In Kentzinger, *Doc. Hist.* p. 36.)

[1] Von Druffel, ii. 801.

made in the treaty of Lochau, that Henry should receive the title of Vicar of the Empire, and even, if he wished it, be raised to the dignity of head of the Empire, on condition of his (Maurice) being guaranteed protection for his own lands and the grant of a stipulated pension. If the King, he added, could make use of an army of 4,000 cavalry and 12,000 infantry by the following spring, he would undertake to collect the forces and to appear on the Rhine at the appointed time, under the pretext that he feared danger from his cousin, John Frederic the Elder.[1]

At the same time far-reaching schemes were also in operation by which Maurice was to become King of Hungary and Transylvania under Turkish suzerainty. The Sultan was also pledged to help him 'to bring several other lands under his dominion, in order to weaken the power of the Emperor; he was to make himself master of Bohemia and Austria.' Jobst Bufler of Eilenburg was entrusted by Maurice with the execution of this business.

At the very time that he was offering the imperial crown to France and plotting to overthrow the House of Habsburg and secure to himself the territory of King Ferdinand, he was reiterating his solemn assurances of fidelity to the Emperor and King Ferdinand, and giving out that he intended to form an alliance with these sovereigns.[2] As Charles still clung resolutely to his ill-fated dream that his son Philip would be elected King of the Romans as soon as Ferdinand should have become Emperor, the latter, fearing that his son

[1] Ranke, v. 231–232. With regard to the date, see Barthold's *Deutschland und die Hugenotten*, p. 118.

[2] Ferdinand to the Emperor, Dec. 16, 1552, in Lanz, iii. 525–528.

Maximilian would have no chance of the 'royal dignity,' looked round about for help to frustrate the Emperor's plans for the succession. The Elector Maurice seemed to him 'the fit man for the purpose.' As his brother Charles V. had done before, so now Ferdinand let himself be ensnared by traitors. They talked in the Empire of 'Habsburg credulity in putting trust in mankind;' what they meant, however, was 'that there was a certain amount of simplicity'—not in the good sense of the word—'connected with this trustfulness.'

Before carrying out his extensive plans, Maurice bethought him of making use of Ferdinand's support against the Margrave Albert of Brandenburg-Culmbach, who was threatening to treat him 'as such a Judas deserved,' and whom he feared all the more on account of his being in 'secret collusion with John Frederic.'

'The noble German nation,' wrote the Saxon jurist, Melchior von Ossa, in his Diary on New Year's day 1553, 'is cruelly plagued and devastated with civil wars. The archbishoprics of Treves and Mayence, the bishoprics of Spires, Worms, and Eichstätt are laid waste with pillage; the costly edifices at Mayence, Treves, and other places, where lay the bodies of so many pious martyrs of old, are reduced to ashes; the enemy of the Christian faith, the Turk, is pressing heavily on the nation; we are surrounded with the gruesome plague of pestilence; but the worst of all is that neither loyalty nor faith exists any more among the people. Vice of every description is on the increase.'[1]

'The year just gone by,' writes a Rhenish priest on the same day, 'has been the most disastrous one in the memory of man, by reason of treachery, war,

[1] Von Langenn, *Melchior von Ossa*, p. 132.

incendiarism, plundering, famine, and pestilence ; everything, both among princes and people, is in such a state of anarchy that it seems almost as if there were no remedy to be found. As the greatest misfortune, however, in this most unhappy year of our history, we must reckon the fact that the inhuman monster Albert of Brandenburg has been received into the service of the Emperor, and that his Imperial Majesty has been of necessity constrained to sign treaties with him which his Majesty himself had before repudiated. The ill-fated people will again have to expiate this disaster, for the Margrave will undoubtedly redouble his fury, and work like a demon with his army.'

On January 8 the Margrave left the camp at Metz, and on the 17th, at his own request, he was released from the service of the Emperor. He bluntly refused the Emperor's invitation to come to amicable terms with the bishops of Bamberg and Würzburg, who had made a solemn appeal to the Imperial Chamber against the ratification of the treaties which had been forced upon them. It was his intention, he said on January 26, 'to punish the insolence of the priests, and, if they refused to observe the treaties, to wage war upon them so long as they had one peasant left.' Ferdinand implored his brother to do everything in his power to prevent the outbreak of another war, and to guard against Albert's either allying himself with France, or else stirring up a general insurrection of the people, which, in view of the present discontent and insubordination among the lower classes, would be far more widely destructive than the former peasant-war had been.[1]

At the Emperor's instigation a Congress was held

[1] Ferdinand's instructions of March 3, 1553. Lanz, iii. 549–557.

at Heidelberg in March, when the two bishops and Albert were present, and the Elector of the Palatinate and the Dukes Albert of Bavaria, Christopher of Würtemberg, and William of Cleves endeavoured to mediate. The bishops offered to give compensation to the amount of about 700,000 florins if the Margrave would renounce the towns and districts allotted to him by the terms of the treaties, together with all further claims. The mediating princes considered this offer reasonable. Albert, however, rejected it and persisted obstinately in demanding literal fulfilment of the treaties. 'Perhaps,' he said at his departure, 'this shiftiness of the priests would help him to get rid of the whole crew out of the Empire, for he knew well how to raise up enemies against them, and if the Emperor would not keep his word with him he should know how to kindle a fire in his path, and the Turks and the French moreover were also there.'

The arbitrating princes at Heidelberg came to an agreement among themselves and with the Electors of Mayence and Treves, to join together in defence against any one, without exception, who would attack them.[1]

On April 9 the Emperor, in a despatch from Brussels, summoned the bishops and the Margrave to suspend their military preparations and to refrain from all measures of force; on May 16, he said, another Congress was to be held at Frankfort with a view to arbitration, and he and King Ferdinand would send plenipotentiaries to it.

But Albert let 'the furies of war have their wildest sway.' On April 16 he captured Bamberg, plundered

[1] Von Druffel, iv. 101 f. Götz, 67 ff.

the town, and extorted money from it; some of the burghers were compelled to pay 20,000 florins. The episcopal castle and the houses of the clergy were ransacked, pulled down, or burnt; numbers of castles and villages in the diocese were consumed by fire. The castle of the noble lord Claus of Eglofstein, who had surrendered unconditionally, was burnt to the ground. Orders were given to 'slay mercilessly' forty peasants who with their old pastor had taken refuge in the garden, and to put the mother and the wife of Eglofstein in prison. In the whole bishopric only two districts escaped the fury of the destroyer.

'Almost greater even than in the bishopric of Bamberg were the cruelty and devastation perpetrated in that of Würzburg.' 'Seventeen towns, thirty-four monasteries and convents, six castles, and about two hundred and fifty villages were pillaged and either in part or entirely burnt. When one of the peasants entreated the Margrave to spare the life of at least one of his three sons, Albert asked him which of them he would rather have left alive. The one who was mentioned was strangled the first, and then the other two, and the father himself afterwards. At Schweinfurt, where he entered unopposed on May 22, he found abundant booty. Wealth and valuables of all sorts had been collected together there from many towns and localities in the hope that the treasures would be safe in this place. The abbey of Fulda in particular had sent the greater part of its church-treasures, gold reliquaries and jewels, gold vessels and other church properties to Schweinfurt. All these effects fell into the hands of the Margrave.

As a plausible pretext for making war on the

Protestant town of Nuremberg, Albert charged the town council with wishing to restore the Catholic faith there, and putting a damper on the ' saving creed of the Augsburg Confessionists.' The people of Nuremberg answered that they were greatly surprised at the Margrave's daring to justify his unpardonable proceedings on the plea of wishing to further the cause of religion, when it was well known to everybody who had ever come in contact with him what sort of religious faith he had to boast of, and how scoffingly and blasphemously he talked about God and saving faith.

' Wherever in the district of Nuremberg burghers and peasants had escaped the outrages of the previous year, they were now pillaged and burnt out.' The towns of Altorf and Lauf were again plundered and compelled to pay war indemnities, and then set on fire in various quarters after ' numbers of poor people with their wives and children and cattle had been driven into it and had had the gates barred behind them.' Albert even extended his fury to the sick people in the hospital. The Nurembergers requited him for his barbarity by pouring an armed force into his territories, storming towns and castles, and reducing great part of his principalities to ashes.

Of the Bohemian fiefs, Lichtenau, Hohenstein, and eight others were laid waste with fire by order of the Margrave. ' He hoped he should not die, Albert said at a drinking orgy, ' before he had had a Bohemian royal crown placed upon his head.'

King Ferdinand became greatly ' perturbed in mind.' So also did the Elector Maurice, who heard in all directions that the Margrave had said that ' as soon as

he had accomplished his will in the two bishoprics he would lead his troops into the Saxon Electorate.'

At the instigation of the Elector, negotiations had been carried on at a congress at Eger between the Elector himself, Ferdinand, the Franconian bishops, the town of Nuremberg, and Duke Henry of Brunswick, respecting a league against Albert. The Emperor had summoned the Estates to an Imperial Diet at Ulm on August 16, in order to obtain help against 'the destructive risings and military agitations which must necessarily result in the overthrow of all civic order and government.'

In the very same month Maurice was prosecuting his secret transactions with France. On May 21, Count Volrad von Mansfeld, who had deserted Albert and attached himself to the Elector, took an oath at St. Germain-en-Laye, 'by his honour and his hopes of Paradise,' to be true to the crown of France, and as often as the King required it to raise as many as 10,000 soldiers for him. In May also the French King promised to send well-instructed and fully authorised ambassadors to Metz before the end of June, when they should confer with similarly authorised representatives from the Saxon Elector and other German Estates concerning the league and the mutual obligations of both parties. Thereupon Volrad returned to Saxony accompanied by a French nobleman. Another 'old and loyal servitor' of the French King, Schärtlin von Burtenbach, was employed in the same work. The French ambassador at Solothurn had already told him in January 1553 that Henry II. and Maurice 'were again in treaty against the Emperor, and were preparing to attack him, and that he (Schärtlin) might be of great use on account of the information he

had concerning the princes.' Such was the zeal with which Schärtlin threw himself into the matter that he offered to lend 600 crowns of his own money; all his time was spent, he writes in his autobiography, 'in conducting intrigues between France and Maurice, in order to raise fresh war against the enemy,' *i.e.* the Emperor and Ferdinand.[1] On June 3 Henry II. gave his ambassadors fuller instructions for the Diet at Metz. In case the delegates from the Elector and his associates should require more money either for defence or for attack on the Emperor, they, the King's ambassadors, were to point to the Netherlands as the fighting-ground which would be the most favourable to the King for the destruction of his enemy, and were to offer to pay half the cost of maintenance of an army of 16,000 men. Those of the German Estates that were parties to the treaty must promise to do all in their power to help on the King's work of recruiting in the Empire, and to facilitate in every way the task of his ambassadors and deputies. The yearly sum demanded by Maurice was not to be fixed till after the conclusion of the league; in any case, however, the King would allow him 6,000 livres annually on the condition that 'the Elector would swear to remain a true and faithful servitor of the King, to advance his interests in Germany at Diets and elsewhere, to do nothing prejudicial to the crown of France and its prerogatives, and to prevent all injury to him.'

'O thou poor, degenerate German land, formerly so mighty, of so great repute, how hast thou become a scorn and a byword through the treachery of thy princes and their rapacious greed! To heaven rises the lament of how thy princes have betrayed thee, thee

[1] *Lebensbeschreibung*, pp. 235–247.

and the majesty of thine Emperor; how through their drunkenness, gambling, debauchery, wars, and insurrections they have ruined all thy prosperity, so that everybody thinks they deserve nothing else than to be turned out of their government, as a righteous punishment of Heaven. Behold how they have all entered the service of foreign potentates, and are treated by them like base lackeys who can be bought at the lowest price!'

For the yearly sum of 6,000 livres the German Elector, sworn to the service of the Emperor's and the Empire's enemy, was ready to betray his Fatherland.

On June 13 Henry II., on hearing a rumour that the Emperor was a prey to mortal illness, instructed his ambassador at Metz, as soon as the Emperor was dead, to join with Maurice in taking all the necessary steps for raising the King to the imperial throne, and not to allow the crown to pass to King Ferdinand or to the House of Austria; or, in case of their failing in this scheme, to do all they could to foment insurrection in the Empire, and to nourish perpetual enmity between those Electors, who had been leaders of this undertaking and the Emperor, as well as friendship between them and the King.[1] On the same day Henry gave his diplomatic agents fresh powers to conclude an offensive and defensive treaty at Metz with the delegates sent by Maurice or other members of the Diet.[2]

The Emperor did not die, and Maurice was unable to send his delegates so soon, because the war had spread to Lower Saxony.

[1] Mencken, ii. 1402–1403.

[2] '. . . parfaite alliance et intelligence avec ligue offensive et defensive.' (*Ibid.* 1404.)

But 'the lilies of France went on blooming resplendently.'

'Germany is in a state of combustion the like of which has never been seen before,' wrote the Bishop of Vannes to Henry II. on July 3; 'the chief rulers are up in arms against each other, and enraged one against the other. Maurice may be of great service to your Majesty and may set many things in movement for the advantage of the Empire; for he is an enterprising and ambitious man.'[1]

'Maurice,' said Count Volrad, the confidential friend of the Elector, to the King, 'will do everything for the honour and profit of your crown; he will devote his land and people to your service. He is expecting help from France; he has decided to conclude a firm and close alliance with France, and counts on the war for supplying ways and means of bringing the matter to a complete settlement.'[2]

The King was jubilant over the general anarchy in Germany, and expressed his hope (on July 9) that military successes would place Maurice in a position 'to keep up the combustion in the Empire, so that France need have nothing to fear from the Emperor.'

On that same July 9 the climax came.

The Margrave Albert had invaded Nether Saxony in order 'to cast the last die.' His most trusted friend, Wilhelm von Grumbach, whom he had charged to levy cavalry and infantry troops in Hanover, advised him, as soon as he was adequately equipped, 'to invade Maurice's territory, where he would find ample main-

[1] '. . . l'Allemagne est en telle combustion qu'elle fut oncques.' (Mencken, ii. 1406–1413.)

[2] '. . . par les moyens de ses affaires de la guerre trouvera les moyens et voyes pour faire amplement ladite alliance.' (*Ibid.* 1421-1423.)

tenance for his army and plenty of rich booty.' 'And, as your Grace knows, Maurice's own subjects (and everybody else as well) are hostile to him.' Albert directed his march first towards Arnstadt. All Thuringia and Saxony were thrown into consternation. He plundered the villages in the district of Erfurt, extorted war contributions from Halberstadt, invaded the territory of the Duke of Brunswick, set twenty villages on fire, and dealt in like manner with the bishoprics of Hildesheim and Minden.

The Elector Maurice assembled his cavalry and infantry and, reinforced by the auxiliaries of King Ferdinand, the Franconian bishops, and the Duke of Brunswick, advanced against the Margrave. On July 9 a battle was fought at Sievershausen, in which Albert sustained a decisive defeat, and Maurice received a wound of which he died on July 14 at the early age of 32 years.[1]

'If the Elector had not fallen in this battle,' said Schärtlin von Burtenbach, 'fresh wars in concert with France would have been prosecuted against the Emperor.'[2] Ferdinand, who fought on the side of the traitor at Sievershausen, had no suspicion that both his Roman and Bohemian crowns were at the moment tottering on his head.

'Maurice has sealed his loyalty to France with his blood,' Count Volrad von Mansfeld wrote to the French King; 'in him the King of France has lost his staunchest friend; more than this he who knew the dead man's most secret thoughts could not trust to paper.'[3]

[1] See Glasey, *Die Schlacht bei Sievershausen.*

[2] *Lebensbeschreibung*, p. 247.

[3] Despatch of July 14 1553. Mencken, ii. 1429.

'Let us only hope,' wrote the French ambassador de Selve to Henry II. from Venice, 'that Maurice, whose death is so great a disaster for the crown, may have left a good and worthy successor in Germany who will be equally helpful to you! Your Majesty needs such a one; it is imperative that you should obtain such a one, if you have not already done so.'[1]

Henry II. was a good deal cast down by the loss of the chief of his German confederates, but he comforted himself with the thought that affairs in Germany were in such a hopeless state of confusion and disturbance that the Emperor, however long he lived, would not be able to put things straight. 'This might be communicated to the Sultan and his chief basha,' he notified to his ambassador at Constantinople.[2]

On August 6 he sent an ambassador to the Landgrave Philip of Hesse, the father-in-law, and to Duke Augustus of Saxony, the brother of the defunct Maurice, charged to convey his condolences on the loss they had suffered, and to incite them to renewed vengeance against the Emperor, so that 'the fire which was in danger of being extinguished by the death of Maurice might be kindled afresh:' he would spare no trouble to this end, he said. The ambassador was instructed to tell the princes that 'the death of the Elector grieved the King of France as deeply as that of his own brother would have done. He would gladly have done all in his power to make this virtuous and exemplary Maurice the greatest prince of his race; he had died like a martyr for the restoration of freedom to the oppressed German nation; the King would be ready to afford help

[1] Despatch of Aug. 4, 1553. Charrière, ii. 269.
[2] Letter of July 16, 1553; see Ribier, ii. 442.

to any one whom he should find worthy to succeed to Maurice in the great matters which he had undertaken.' 'If the princes,' the instructions went on, 'rose to this bait and showed eagerness to fight against the Emperor, the ambassador was to represent to them that now was the very opportune moment, for the danger of the suppression of German liberty by Charles was greater than ever. The King would stand by them throughout.' [1]

But the two princes did not 'bite.' Philip 'did not want to hear anything more about war,' and the Elector Augustus concluded an agreement with the Margrave Albert, and, 'for the sake of tranquil possession of his electoral hat and territory,' continued in friendly relations with the Emperor and Ferdinand. In the Margrave alone did the Frenchman 'again find a faithful servitor of the crown in defence of German liberty.'

On September 12 Albert had again been defeated by Duke Henry in the neighbourhood of Brunswick and had been compelled to retreat into his Franconian principalities. At the end of the year the greater part of his territory was in the hands of his enemies. The lion's share had fallen to King Ferdinand, who was left almost alone to carry on the war against this violator by the Landfriede. Only a few towns and fortified places, and the imperial city of Schweinfurt, remained in Albert's possession. All the same, he rejected all overtures of peace and ridiculed the sentence of outlawry which the Imperial Chamber pronounced against him on December 1. He behaved in his own

[1] Despatch of the King and *mémoire* of Aug. 6, 1553. Mencken, ii. 1434–1437.

country in the same way as he had done before in the land of the enemy.[1]

He sent the following order to Stöcklein, governor of the fortress of Hohenlandsberg: 'You are to impose on all the peasants, everywhere, taxes of wine, corn, meal, wheat, and straw, besides extorting from them the sum of 30,000 florins; and if flogging does not get it out of them, you must have them all hanged.' 'On Christmas Day next, or at the midnight mass,' Stöcklein was to set fire to ten places in the direction of Windsheim, Ipshofen, and Kitzingen, so as 'to make the new year all the merrier for the priests.'

'Now we are under sentence of the ban, you must spare nobody, but strike right and left as hard as you can; if you can get hold of plenty of silver, you will be able to help the soldiers all the better.' Desperately resolved to persist in his original scheme, he still hoped, with the help of France, to vent his spleen on the priests and monks, 'and above all to burn the detested town of Nuremberg down to the ground.' He had already remarked, according to the French king's statement, that the Nurembergers 'were no masters in the art of incendiarism; he understood it better himself.'[2]

Sylvester Raid, whom he had sent on an embassy to

[1] On Nov. 27, 1553, Andreas Wacker wrote concerning Albert to Christian III. of Denmark, that he had 'taken away from his subjects all their provisions to feed his stags with, and in order to prevent the enemy from finding any sustenance in the land.' On Nov. 18 he had set fire to eight villages in the bishopric of Würzburg all at once, and perpetrated such cruelty as was too pitiable to write about.' (Schumacher, iii. 36, 45–46.)

[2] '. . . ne sçavoient pas si bien le mestier de brusler qu'il faisoit . . . là où il mettroit le feu, qu'il seroit bien aysé à nettoyer les religues avecques le baleit.' (Report of June 27, 1552, to King Henry II. in Mencken, ii. 1409.)

Henry II., came back, so it was reported in March 1554 at the imperial court, with the promise that the French King would give the Margrave and Duke Albert of Mecklenburg 100,000 crowns each to attack the Emperor in Guelders and Friedland with an army of 24,000 men, besides 50,000 crowns a month and 20,000 francs a year; and also that, so long as they were deprived of their territories in Germany, French domains of equivalent value should be allotted to each of them.

The Margrave answered that he would be true to the King till death; that he would help him to great achievements; that his troops should swear allegiance to him, and should settle accounts with all those 'who were disaffected towards France and hinderers of the King's interest.' He could not, however, undertake an attack on the Emperor until he was adequately supplied with ready money; the sum proposed was too small; the King must give him as much as the Elector had had, namely 75,000 crowns a month.[1]

The negotiations were broken off.

On May 18 the Emperor issued a mandate for carrying out the sentence of the ban, and the princes leagued together against Albert collected such strong forces that the Margrave was compelled on June 13 to abandon his principal fortress of Schweinfurt. The confederate army overtook him on the heath between Volkach and Kitzingen and routed him so completely that he lost all his artillery, all the money he had looted, his letters and his personal effects, and only escaped with great difficulty across the Main. The town of Schweinfurt and Albert's fortress of Plassenburg were

[1] Bucholtz, vii. 151–152. Von Druffel, iv. 374 f., 385.

set on fire and all his land sequestered.[1] Destitute, proscribed, deserted by all his friends, he landed on French soil, was granted a yearly pension of 6,000 crowns, and set to work to plot fresh conspiracies.

[1] Concerning the pillaging and burning of Schweinfurt, see the exhaustive report of the town scribe Kilian Göbel in Rheinhard, ii. 245–258. In the year 1543 Schweinfurt counted 766 burghers, in 1556 only 115 (Köhler, ix. 264.)

## CHAPTER VII

### THE GENERAL POSITION OF AFFAIRS—THE SO-CALLED RELIGIOUS PEACE OF AUGSBURG, 1555

'ALL the affairs of the noble German nation,' so the Emperor wrote, 'are in a worse state of anarchy and entanglement than they have been for centuries past.' The general conflagration which the Electors of Mayence and Saxony had sadly predicted in the year 1520 had broken out, and, within thirty years after the prophecy, had destroyed the unity of the faith and had worked terrible havoc both in the external and internal strength and prestige of the nation, and in the welfare of the people. Germany, which at the close of the fifteenth century had ranked first among the countries of Europe in agriculture, in mines, in trade and in industry, was now in every direction 'in a state of melancholy decay.' Foreign monarchs had already planted their feet on the neck of the Hanse towns. The conditions of the country people and the peasantry were everywhere deplorable. Art and science, with their spiritualising influences, which the Church doctrine of 'good works' had tended to develop, had fallen into contempt. 'Learning and letters,' wrote Melanchthon, giving unrestrained expression to his grief at their decay, 'have come to be loathed in Germany in consequence of religious squabbles.' 'Who is there now who encourages and cares for learning? Who even thinks it

worthy of the slightest trouble or veneration? It is looked upon as mere fool's play, or as a pastime for children; for mankind have now attained the goal of their desires—boundless liberty to think and act exactly at they please. Reason, moderation, law, morality, and duty have lost all value; there is no respect for contemporaries, no reverence for posterity.'

Ever since the traditional authority of the Church had been undermined, and to a great extent indeed annihilated, all respect for civil authority had disappeared. As in political matters all the links of the constitution had been loosened, so in the moral and social life of the nation all the bonds of order and discipline had been rent asunder, and among high and low, in the palaces of princes, in the towns and in the country, depravity reigned to such an extent that it seemed, to quote from Luther, 'as if we were in a worse land than even Sodom and Gomorrha.'

The theological leaders of the religious revolution had flattered themselves with the hope that the secular government would succeed in remedying and expunging all the evil consequent on the collapse of ecclesiastical rule and church organisation, and they had accordingly handed over the control of religious affairs to the state authorities. Princes and city magistrates had not only become administrators of the external system and property of the new territorial Churches, but also their chief bishops and overseers.

This secular Church government, however, had proved itself a universal failure and had everywhere produced evil results.

The writings of all clear-sighted and impartial contemporaries show plainly how strongly they were im-

pressed with the wide difference between the old period of Catholic faith and life and the new religious conditions. Note, for instance, the free comments of the Lutheran writer, Thomas Kantzow, private secretary to the Pomeranian chancellor: 'When the people held the Catholic faith, they were very pious;' he says they 'gave liberally to churches, to cloisters and to the poor, and they spent much time in fasting and prayer. The priests also, in those days, were held in great esteem and veneration: the humblest and lowliest of them were treated with marks of respect wherever they went, and people could not show them enough honour.' But since 'the plain and pure gospel' has been proclaimed there has been a great change in everything: 'instead of piety, we see indifference; instead of benevolence, robbery of churches; instead of almsgiving, stinginess; instead of fasting, gluttony and wine-bibbing; instead of observance of Sunday, sabbath-breaking; instead of discipline among the young, licence and insubordination; instead of respect for the clergy, flagrant contempt for preachers and all Church officials.' And these evils do not occur as isolated phenomena, but, alas! are common everywhere. 'In all the towns, nowadays, the ministers of the Church are found to be very badly provided for, and the same holds good of the schools; in the country districts many parishes are desolate and deserted, left without pastor or preachers, so that it can truly be said that the people have grown worse instead of better through the Gospel.'[1]

In the same strain as that in which Kantzow described Northern Germany, Jacob Andrea, after twenty years' experience as Lutheran preacher and ecclesiastical

[1] *Pomerania*, ii. 408–410.

visitor, wrote of Würtemberg, Baden, and the Palatinate.[1]

'A disgraceful custom has become established in our villages,' wrote the new Elector Augustus of Saxony. 'The peasants, at the high festivals such as Christmas and Whitsuntide, begin their drinking-bouts on the eve of the festival and go on with them all night, and the next day they either sleep through the morning, or else come drunk to church and snore and grunt like pigs during the whole of the service. The churches, which should be kept holy as houses of prayer, are turned into taverns by the peasants; they store up their Whitsun ale in them, to keep it fresh, and swill it down within the sacred walls amid blasphemy and curses. They have the audacity also to mock at the priests and at the service, and they mount the pulpits themselves and turn preaching into ridicule. At village weddings the people spend the whole night in drinking and blaspheming, whence result murder and abominable lasciviousness.'

But how could anything better be expected when there were scarcely any more schools in existence, and when the care of souls was for the greater part entrusted to preachers such as the Elector describes? The nobles and the other feudal lords, he says, 'appoint everywhere to the ministry ignorant destitute artisans, or else rig out their scribes, outriders, or grooms as priests, and set them up in livings so as to have them all the more under their own control.'[2]

In an inspectoral report of the county of Mansfeld in the year 1554, amongst other common vices of the

[1] See vol. v. pp. 426–427.

[2] Richter, *Evangelische Kirchenordnungen*, ii. 181, 192–193.

people there were mentioned: 'open contempt and blasphemy of God; constant or frequent neglect of the sacraments; non-baptism of children; gluttony and drunkenness in general; drunkenness on the day of receiving the sacrament; gross violation of Church festivals, even of Good Friday, Easter Day, Whit Sunday; cases of bigamy; public immorality and adultery; usury, perjury, and every other species of crime and iniquity. And all these sins are merely laughed at; no attempt is made to punish them.' Under the head of 'very common transgressions' comes 'marrying without the consent of parents, relations, and sponsors,' which offence produces terrible and abominable evils in this land.[1]

'Sins, vices, and crimes of all sorts,' we read in a Magdeburg report of the same year, 1554, 'increase and multiply from day to day and gain the upper hand. The people are growing more and more epicurean, and one religion seems to them as good as another; a blasphemous Papist, a Jew and a Turk, are as good as a Christian. The penalty of excommunication, which has been given up on account of the Pope, "the damnable Antichrist," ought to be revived.'

The inspectoral protocols of Mecklenburg are full of laments over the deplorable pictures of desolation presented by churches and churchyards all over the country.[2]

In Hesse and in the principalities of Ansbach-Baireuth the condition of things was no better.

[1] Richter, ii. 142–143.

[2] See Boll, i. 392; Lesker, p. 102; Wiggers, p. 117. For an account of the general demoralisation and the outrages of every description in the town of Hanover see J. K. F. Schlegel's *Kirchen- und Reformationsgeschichte von Norddeutschland und den hannover'schen Staaten*, ii. 77.

Everywhere a melancholy picture is given by the inspectoral reports.

In the Palatinate there were but very few districts of which the inspector could report anything satisfactory. 'The greater number of those who want to appear cleverer and more intelligent than others never go to the sacrament. Preachers who had begun teaching the catechism have been obliged to stop because none, young or old, wanted to receive such instruction. Alms-gathering for the poor and needy is almost abandoned. The churches are for the most part left to go to ruin and their revenues devoted to other purposes. The mass vestments, albs, altar cloths, &c., are left lying in heaps to rot away.' The newly appointed preachers had received no better education than poor boys, and received such miserable stipends that they could not buy themselves either books or clothes, 'and when they die their widows and children are reduced to begging.' 'Church discipline as it existed in old times among the ministers of the Church has ceased, and the door is thus open to vice and crime, so that each one can do as he pleases and no one has the right to find fault or punish. The great majority of the people are given up to godless sensual living; only a very few hold firmly to the faith or believe in divine revelation.' A large number of parishes are without clergymen. For instance, in the whole district of Lützelstein there were only four preachers, 'the people live like wild beasts and pay little or no attention to their clergy.'

Divine service, the inspectors reported to the Elector, was 'not only despised but also abandoned for want of officiating clergy, because so many people both

of high and low degree had taken possession of all the church goods and left the clergy in poverty and want.' The Catholic predecessors of the Elector, say the Lutheran inspectors, had acted differently. 'Your Grace's ancestors and parents were rulers and electors every bit as illustrious as you are yourself, quite as wealthy and powerful, although they did not appropriate the property of the Church, but on the contrary maintained the churches and endowed them richly out of their own purses.'

The complaints of the reckless squandering of church goods and of the benevolent endowments and foundations intended by our ancestors for schools, hospitals, and almshouses, were universal among the Protestants both in North and South Germany, and attention was everywhere drawn to the already visible results of the general confiscation of churches.

The utterances of Luther and Melanchthon on the subject are innumerable.

'I have seen the way,' wrote the preacher Lampadius at Halberstadt, 'in which in some kingdoms, principalities, counties and towns, the churches, the schools, and the charitable endowments have been, and are still, gambled with, dissipated, and misused.' 'The clever worldlings despise all faithful and kindly admonitions, and all serious warnings also, and treat them as pure joking. They have practised all sorts of simony and iniquity with the goods of the Church, the schools, and the poor; they have driven away the needy and destitute, and they carry on all sorts of iniquitous, blasphemous, buying and selling and bartering with parishes, prebendaries, and benefices.' All these proceedings have manifestly aroused the anger of God.

'His judgments follow us unceasingly in the shape of pestilence, hunger, famine, war, persecution, fire, devastation, robbery, destructive rains, hailstones,' thunder-storms, and suchlike terrific chastisements.

'Those who are criminal enough to keep ecclesiastical goods to themselves, and give no portion of them to churches, the schools, and the poor, are punished by fire in their houses, as the prophet Micah says, by which they are consumed.' [1]

'In the clear light of the dear Gospel,' Joachim Mörlin at Brunswick laments, 'the institutions founded by our ancestors are everywhere, in spite of charter and seal, taken away from the poor impecunious officials of churches and schools, so that the latter have scarcely a crust of bread to eat. Since no one will give help any longer, nobody can any longer study. Preaching and teaching are coming to an end. In short, great as is the wrong done by usury, robbery, and other flagrant vices, it is not nearly so bad as the consequences of this execrable practice of church-robbery; for this is robbery of God and leads to appalling wickedness.' [2]

[1] Hortleder, *Rechtmässigkeit*, pp. 1383–1384.

[2] *Ibid.* pp. 1382-1383. Erasmus Alber († 1553 as Superintendent-General) complained in verse:

'They take away the Church's treasure,
'Twill bring them little gain or pleasure;
The poor are left unhelped, unfed,
From out their mouths they take their bread.'

&c.

The Protestant jurist, Melchior Krüger, Syndicus of the town of Brunswick, writes: 'As for the Holy Scriptures, there is no need for me to demonstrate at length that these do not award church goods and revenues to the secular authorities, but regard them as intended for the worship of God and the maintenance of the church ministers and officials. But even in our secular law it is considered gross ignorance and barbarism to

The Quedlinburg preacher, John Winistede, spoke with equal bitterness, deeply lamenting that 'many evangelical preachers also, who possess plenty, fawn on the great and the powerful,' as though the Gospel meant nothing but robbing and plundering, and 'as if the worldly harpies had power over ecclesiastical goods to deal with them at their pleasure, and as if it was quite right that they should practise usury and grab everything to themselves, and that the dear Christ and His Church should fall to them as a prize and as booty.' These mighty ones, he says, sell the church goods, 'transfer them, mortgage them, make presents of them, give them as rewards to their servants or to unworthy persons, to minors, to useless court parasites, who all of them squander and dissipate the revenues in the most preposterous manner, load the poor tenants and vassals with fresh and unwarrantable services and taxes, as did Pharaoh and his stewards in Egypt, sweat

declare that church property belongs to kings and princes or other rulers. The *Instituisten* also are aware that church goods are no man's private property, but that they belong exclusively to God and to His service, as is clearly and emphatically explained by the text of Scripture and the glossaries.' 'I can scarcely help thinking,' he says concerning the jurists who so shamelessly show the fox's tail, 'that they are possibly court denizens and hoping to deserve a portion of these ecclesiastical goods themselves, otherwise they would surely know better. In these parlous times, however, it is not safe to incense the people too much concerning this church property, for every-day experience shows how greedily they struggle for it, so that there are more soldiers now who take Christ's garments and coat and cast lots for them than there were at the time of the crucifixion. Little good, however, will this ill-gotten substance do them, God knows; they will be no better for it than "the dog for eating grass," as the saying goes. Is it not, indeed, sufficiently seen everywhere that, even at the courts of the great princes, the church goods are as a firebrand in coffer and castle, and bring one calamity after another on the land, and for all our taxing and grinding we are no richer one day than the other? And indeed it would be a misfortune if more prosperity came in this way.' (Hortleder, pp. 1400–1401.)

them, fleece them, and grind them down to the bone.' They were three times worse than the papists, he said.

Robbery of the landed property of the Church was also robbery of 'the poor man,' of the vassals, who thereby lost their proprietary share in the common lands.

The stolen church property, Winistede goes on to say, acts as a devouring fire on the actual property of these lords. 'How is it then,' he asks, 'that in former times our pious emperors, kings, princes, counts, nobles, yea even the wealthy bishops themselves, were able to get on without oppressing their dependents in this manner and burdening them with unjust services? They were contented with rents, incomes, and legitimate dues, and yet they all of them everywhere had abundance, and moreover, without injury or detraction to their lands and people, they managed not only to build castles and fortresses, but also to found great and wealthy religious and other institutions.' 'But nowadays, now that they tax, grind, and extort, and each one as a *Jus Patronatus* takes possession for himself of all that his forefathers, or other pious Christians of old, destined for the honour of God, now there is want in all directions, and neither the lords nor the vassals have anything. Now that they persist in making free with ecclesiastical goods, they fall into utter ruin and bring themselves to beggary.' 'What, now, can be the reason of so grea poverty? Must it not be that, as Solomon says, "one man divides his substance with others, and becomes richer thereby; another takes the goods of others to himself and becomes poorer"? As is the labour, so shall be the reward. For ill-gotten gains profit not, since God does not give His blessing with

them, but contrariwise His curse.' 'Experience shows that those princes, lords, nobles, and towns whose revenues have been almost doubled by the accession of church goods have become almost twice as poor as before. Those preachers, therefore, who play the part of sycophants and parasites at court, together with all fawning jurists and bad Christians who deal in flattery and adulation, work no slight injury to their lords, both in body and soul; and they do great harm also to Christian churches and schools by teaching that the secular potentates have plenary power over church-property, to deal with it at their pleasure.' They might at any rate abstain from 'grabbing, squandering, and carousing away the charitable endowments, and allow the poor to have the benefit of what, in past times, was piously given and founded for them, as for instance alms, clothing material, shoes, and other similar offerings and charitable bequests.' 'They ought to be allowed the same benefits that they enjoyed under the Papacy, and these ought not to be withdrawn or curtailed.' [1]

[1] Hortleder, *Rechtmässigkeit*, pp. 1384–1385. See the letter of the Superintendent Tilman Hesshus to Winistede (dated July 3, 1554), p. 1399. In the writings of an unknown Catholic we read: 'Just as the peasants were no better off for the plunder of ecclesiastical goods, so the Protesants have not grown richer by their church robberies. This is evidenced by the fact that as soon as a Protestant takes possession of a church benefice he becomes so poor that he cannot stay in it unless he levies two or three fresh taxes on his poor vassals. And this is the only advantage that the poor man has reaped from the Evangel. When the peasants seized church goods, they were put to death. But when the lords do it, then the poor peasants must give out their bloody sweat in order that their lords may be able to hold on to their stolen property, and at the risk of body and life they must help to defend that for which their fathers, brothers, sons, and friends were massacred. "Ah!" you say, "but what becomes of all this mass of property?" The preachers are paid so little that they complain of this in all their writings. Very few of the beggars have become rich through

'The Evangelical overlords,' said Melchior Ambach in 1551, 'adopt the Evangel, because it conduces to the augmentation and maintenance of their authority and their temporal possessions. They take possession of the church goods and distribute them among their unmannerly children, their dissolute courtiers and haughty scribes, yea even among altogether godless people, caring little or nothing what sort of provision is made for the ministry of parishes, churches, and schools, and for the care of the poor.' [1]

Christopher Marstaller, for many years preacher at Schwäbisch-Hall, wrote as follows: 'Under the rule of the holy Evangel the churches are all falling into decay. Our parents built them from top to bottom,

their so-called alms. Where, then, does all the wealth go to? First of all remember the saying: Ill-gotten, ill-spent. Whereas these goods have been acquired quite unlawfully, it is no wonder that the possession of them has brought so little good fortune. According to the popular saying, ecclesiastical goods devour other goods. Wherever formerly there was one procurator, now there must of necessity be several Judases to be fed. Each of these thinks to himself that, as the property cost the lords so little trouble to get, it does not much matter how it is spent. Secondly, what immense sums are spent on building great works of fortification! For nobody can tolerate right, and every one must resort to force. What endless funds are required when, at all the courts of princes, there are traitors, great and small, who keep the Protestants informed of the counsel and plans of all the Christian chiefs! How much, too, is spent on plotting of a more private kind; for no gentleman can utter a word but straightway it is communicated by a messenger to the Protestants. The intrigues carried on with foreign powers are also no slight cause of expense. They involve the Emperor in additional business every day, and he is quite unable to punish or check the sacrilegious proceedings of the Protestants.' 'What an amount of money also is swallowed up by the great magnificence displayed during Diets, the enormous banquets that are given! . . . It needs also no small amount of wealth to meet the expense of serious preparations carried on year after year for war against rulers, and to provide service- and pension-money for captains and others.'

[1] *Klage Jesu Christi über die vermeintlichen Evangelischen*, Frankfurt a. M. 1551, B². D³. E.

and were only too glad to give money for building churches, and for all the adornment of the temples; they were none the worse for their liberality, but enjoyed plenty and prosperity, good days and years, and lived their lives in peace. Nowadays the ruling authorities make such holes in the church revenues that it is impossible to keep God's houses in repair; the roofs fall in, the rain and snow penetrate at all corners, and many of our churches look more like stables for horses than like temples. Beautiful altar-screens of silk and velvet, with pearls and coral, were placed in the churches by our fathers, and now they are taken away and turned into hoods and bodices for the women. The churches have indeed become so poor under the holy Gospel that the ministers cannot even be supplied with surplices to wear in the pulpit. Then the ruling authorities, under the dispensation of the holy Gospel, think so little of their church officials that when the lord of the manor rides to the hunt, the parson is obliged to ride with the jockeys, to scream and yell like the rest of them: yea, the poor priest and shepherd of souls is degraded to a mere jockey.' [1]

Under conditions like these, which had grown up everywhere since the religious disturbances and the assumption of church government by the secular rulers, it was no wonder that the people, on whom the novel doctrines were forced, yearned to return to the old Catholic times.

The Hessian theologian Paul Asphe complained that it was quite usual among the Protestants to lament in the following strain: 'When we were under the Papacy, attended mass, made pilgrimages, invoked the dear

[1] See *Mainzer Relation.*

saints, then we had enough for our needs ; nowadays, because we have given up all these practices, we are always in want and trouble, everything has failed us since the "Gospel" has been preached. What good, indeed, has the Gospel brought us ? It has done nothing but cause uproar and the turning out of images from the churches.' [1]

The bulk of the people, so in deepest distress said the Amberg Court preacher Hieronymus Rauscher in 1552, were turning their eyes wistfully to the 'godless Papacy,' murmuring and grumbling all the time : 'Since the new teaching has come there has been no more happiness and prosperity in the world ; people have not grown better, but on the contrary worse and more wicked through evangelical preaching.' The Lutheran pastor, Thomas Rörer of Rothenburg near Nuremberg, also complained in 1555 of the 'ignorant people among the Protestant, who attributed all misfortune and misery to the new doctrines.' Christopher Marstaller also quotes the cry of the populace : 'Since the Lutheran teaching has come into vogue and the new gospel has been preached, there has been no good fortune anywhere, and ever since that time there has been no star of good omen, but only war, pestilence, famine, blighting of fruit ; and one disaster has followed on another.' [2]

Still a generation later the preacher George Steinhart at Otterndorf heard the people saying : 'Oh, let us have done with this doctrine ! Under the Papacy things went on grandly ; there were good times then and abundance everywhere ; but since the coming of the

[1] *Auslegung des Propheten Daniel* (Pforzheim, 1560), ii. 42.

[2] Compare the passages in Döllinger, *Reformation*, ii. 208, 313, 316–318.

Evangel, grass and foliage, good luck, rain and seeds have all disappeared.' [1]

Melanchthon had been the first and the most vehement in complaining that the princes and municipal authorities who had taken the church management into their own hands had no real interest in religion or in the promotion of Christian discipline. 'The imperial cities,' he wrote, 'do not trouble themselves about religion: all they care for is emancipation from the dominion of the bishops.' 'The princes do not concern themselves at all about these matters; one creed is as good in their eyes as another.' Under cover of the Gospel the princes were only intent on the plunder of the churches, on gambling, drinking, and other degrading pursuits. 'What state of things shall we bequeath to posterity if the authority of the bishops is abolished? Even were it allowable to overthrow the organisation of the Church, it would be scarcely salutary. What will become of the parishes if the old customs and usages are done away with, and no more regular church overseers appointed?'

Melanchthon was now witnessing the fulfilment of these words of his written in 1530, and all that he saw grieved him so deeply that in his confidential letters he spoke of a strong yearning for death. And yet he was the foremost among those theologians who in May 1554, at a religious convention at Naumburg, planned by the Elector Augustus of Saxony, declared the transference of church management to the civil authorities to be not only an unavoidable necessity, as Luther had long maintained, but a divine command. In his memorandum of advice, which had been approved by the

[1] In the *Evangelistarium* (Leipzig, 1588), fol. 49.

other theologians, he said that the rite of ordination and the juridical powers claimed for the bishops both by themselves and by great potentates, could not be conceded to them because they were persecutors of the Gospel. The gates of the temples are the gates of the princes. Secular lords are the 'feeders of the churches,' and it was their business to provide for right doctrine and Christian discipline; this exalted and divine task belongs to their office. This religious assembly was ruled by the selfsame spirit which two years later inspired a synod at Greifswald to petition the ruling prince 'to remain, next to Christ, the supreme head of the church and the clergy.'

Melanchthon and his associates stipulated in this memorandum that everything that was objectionable to the Augsburg Confessionists must be denounced by the preachers; all heresy, all false religions, Mahomedanism, popery, anabaptism, &c. With regard to printers and booksellers, they said, the temporal rulers must emphatically insist that nothing should be printed or sold without the permission of the censors of the press.[1]

The memorandum was throughout an expression of the opinions of the Protestant princes present at the convention, who had no intention whatever of consenting to their ecclesiastical powers being curtailed by the bishops, but who hoped, on the contrary, to obtain at the Diet, shortly to be convened in accordance with the treaty of Passau, full legal recognition of their local churches with all the accompanying regulations for their inward and outward organisation.

[1] In the *Corp. Reform.* viii. 284, 291. See Pastor's *Reunionsbestrebungen*, pp. 457–458.

With regard to the printers and booksellers also, the princes wished to exercise strict censorship, although not merely in respect of the errors of the Pope, Mahomed, and the Anabaptists—all which Melanchthon put on the same level—but also over the writings of the theologians of the Augsburg Confession. Much dissension and disturbance, wrote Duke Christopher of Würtemberg to Philip of Hesse, both in temporal and spiritual matters, was occasioned by the mutual abuse and recriminations of the theologians of this persuasion. It was therefore imperatively necessary that every prince who had adopted the Confession should enjoin on his theologians and universities that 'henceforth, under pain of severe punishment, no one of them should attack any of his brother divines, or any theologians of other lordships, or any persons whatever, either of high or low degree, with invectives, lampoons, or other libellous pamphlets, by which agitation and turbulence might be caused; and that they should also refrain from abuse and slander in their pulpits.' Where refutation of false doctrine was necessary, the matter must not be left to any theologian for himself, but the document must be submitted to the civil authorities under whose jurisdiction the theologian dwelt, and it must be decided by this board and others whether the pamphlet should be published.

For the theologians of the new Church were already using the weapons forged by Luther in virulent attacks on one another. 'You see how many of the teachers of our Church are fighting against us,' wrote Melanchthon to Schnepf; 'day by day fresh enemies spring up, as if from the blood of the Titans: how gladly would I get away from these parts, yea from life itself, in order to

escape from the fury of these contentious spirits!'[1] Flacius Illyricus inveighed against Melanchthon as a 'popish firebrand of hell,' that same Flacius of whom Luther had said: 'On this man, after my death, prostrate hope will lean for support.'

Osiander wrote: 'I believe that Melanchthon and all his followers are no better than ministers of Satan; since the apostolic age there has been no more dangerous man in the Church.'[2]

The Margrave Albert of Brandenburg, who was a most signal instance of entire loss of faith in consequence of the religious dissensions of the preachers and divines, wrote to Duke Albert of Prussia: 'We have long been cognisant of the hateful schisms between the theologians of Magdeburg, Wittenberg, and Leipzig, who attack, slander, and abuse each other more virulently than they have ever assailed the papists.'[3]

'What will be the end of it all?' asked the Lutheran Melchior von Ossa. 'Which party are the poor simple lay folk to believe in, and how are the latter to defend themselves? What schools are pious, respectable, god-fearing people to send their children to? For each separate preacher among these dissentient sectarians wants to establish his own particular doctrines in the schools and churches under his care, and they secure the support of the civil authorities, so that the people are constrained to knock under. War, political disturbance, scarcity, and need are nothing compared with such religious discord. No hatred and ill-will are

[1] Nov. 10, 1553, *Corp. Reform.* viii. 171.

[2] To H. Besold, Feb. 21, 1551, in *Epistolæ hist. eccl.* ii. 81. See C. Schmidt's *Melanchthon*, pp. 557–558.

[3] Sept. 21, 1551, in Voigt, *Albrecht Alcibiades*, i. 252.

fiercer or more destructive than the mutual hostility between those who fight about religion.' [1]

'In every department of life, in religion, trade, society, politics, family life, there was nothing but anarchy and dissension throughout the Holy Empire, and the people, weighed down with affliction, turned their hopes to Augsburg, where a "Peace Diet" was to be held, and asked anxiously, "What sort of peace will they give us?"'

The Diet which had been stipulated for in the Passau truce was postponed from one date to another in consequence of the illness and absence of the Emperor and the military disturbances, and it was only with the greatest difficulty that it could be got together at all. In February 1554 the Emperor informed the six Electors, through his councillor Böcklin, that he considered a Diet the only way of remedying the grievances in the Empire; he would use his power and influence in every way for the maintenance of peace and prosperity, and he hoped to be present at Augsburg in April when the Diet was to meet.[2] This announcement produced no result. In June Charles urged King Ferdinand to hasten on the opening of the assembly. He himself, he said, owing to illness and to the fact that the Netherlands were again threatened by France, would not be able to attend in person, and he invested him (Ferdinand) with full authority to come to a final decision with the imperial Estates on all questions brought forward. He was not to act in the name and as the representative of the Emperor, but in his own capacity as King of the Romans. 'And to speak openly

[1] Von Langenn, *Melchior von Ossa*, pp. 155–156, 195.
[2] Bucholtz, vii. 165.

to you, as is fitting between brothers, and make known to you the true cause of the step I am taking,' Charles added, 'I will explain that it is on account of the religious scruples with which I am troubled, and which I disclosed to you fully at our last interview at Villach. I feel assured that you, on your part, as a good Christian prince, will take care not to make any concessions which would be contrary to the dictates of your conscience, or likely to widen the breach in religion, or to retard the remedies which, by the mercy and grace of God, we hope may be arrived at.' [1]

Ferdinand undertook the difficult task of preventing further insurrections and of tranquillising the Empire, a task which he had all the more at heart because the war with the Turks was still going on, and the machinations of the French King gave cause to apprehend new struggles.

The Diet was fixed for November 13, 1554; but at the end of December, when Ferdinand arrived at Augsburg, no members were yet present. The King sent them urgent supplications, both by letters and messengers, not to delay any longer in coming; he himself, he said, had left his own country and had come to Augsburg at great inconvenience, in order to confer with them over the most salutary measures for remedying the deplorable condition of Germany. 'The personal presence of the princes,' said the King's delegate Zasius to the Elector of Mayence, 'was of greater importance at this Diet than it had been for a hundred years; the King had so many vital questions to deal with, which could not be settled through representatives, or by writing; if trouble and rebellion ensued, he at

[1] Lanz, iii. 622–624.

any rate would stand exonerated before God and the Empire.'[1]

Besides the Cardinal Bishop Otto of Augsburg, there were only three bishops and a few abbots present; and of the secular princes, only the Dukes of Bavaria, Würtemberg, and Savoy, and the Margrave of Baden. The rest of the members sent delegates to represent them. It was not until February 5, 1555, that the opening of the Diet could take place. The proceedings began with an address from the King on the situation of the Empire and the business to be transacted.[2]

'With regard to the highest and most important point of the business,' Ferdinand said, 'namely the question of the Holy Faith, it was clear as daylight how much distress, anxiety, and misery had been occasioned by the long-protracted religious dissensions. These had been, in an incalculable number of cases, the actual source of all the ruin and corruption that had befallen both souls and bodies. Every Christian should bear in mind how grievous and lamentable a thing it was that those who were baptised into one faith and one name, who were of one language and nation, and the subjects of one empire, should have broken the unity of the faith, handed down to them from their ancestors through so many ages, and should have separated in such a deplorable manner among themselves. Still more grievous was it that things had now come to such a pass that it was not merely a question of division into two parties, but of countless sects spring-

[1] Bucholtz, vii. 169.

[2] New light on this Diet has been thrown by the *Beiträge zur Reichsgeschichte* collected by von Druffel and edited by Brandi.

ing up in all directions, each one of which was fighting against the others; whereby God and his Holy Word were beyond measure dishonoured, the bonds of Christian love rent asunder, and the poor, simple, uneducated people harassed in their consciences and driven astray, so that soon none of them would any longer know what to hold and believe. But what was far the worst of all was that numbers of people had grown up, and were still growing up, in these errors, and that amongst all classes, high and low, there must be a multitude of persons who believed in nothing at all, and were abandoned to coarse, godless lives, without any regard for conscience or honour. A terrible and dangerous state of things, this, especially as regards the young. It would be lamentable in the extreme if this glorious nation, which from time immemorial had outshone many others in Christian virtue and in the fear of God, and had thereby derived so much happiness and prosperity, should now degenerate into a condition more brutish even than had ever existed among the heathen of old, or that existed nowadays among the Turks and other infidels. There was all the more urgent need for remedying the disastrous state of religious affairs, because the German nation, which was formerly strong and manly enough to defend itself against all aggressors, was now in such an enfeebled condition, through internal discord, insurrection, and war, that there was great fear, unless God interposed miraculously on its behalf, that it must be involved in utter ruin.'

'Hitherto,' he continued, 'the Emperor, the King, and the Estates had all been of opinion that a General Council would be the best way of restoring uniformity

in religion, seeing that the question concerned the whole of Christian doctrine and all Christian nations. A Council had been convoked several times and had several times commenced operations, but obstacles, which were well known to everybody, had invariably impeded its progress and prevented a conclusion being arrived at by this means. If the members of the Diet were still of opinion that it was desirable to make another attempt at holding a Council, the King would again do all in his power to further such a course. In this case there would be nothing else to discuss at this Diet than how best to prevent the hindrances which had hitherto interfered with the Council. If, on the other hand, the members should think it best to defer the meeting of another Council until some more peaceful time, he was ready to deliberate with them concerning other Christian and moderate measures, in order that meanwhile, pending either the meeeting of a Council or some other mode of settlement, the inhabitants of the Holy Empire might dwell together in peace and amity, and carry on their avocations without doing violence to their consciences and to their duty to God. To a national Council, however, which some had voted for as the best means to the desired end, he could not consent, because the form and appellation of such an assembly were not sufficiently familiar or customary. The religious conferences which had been held with a view to reconciliation had failed of their purpose, but they had sufficed to show that an accommodation might have been arrived at in all the most important points at any rate, if any real Christian spirit had prevailed, instead of both parties persisting in their stiff-necked obstinacy. The Emperor had reaped small

thanks from either party through these conferences; but he, the King, was ready to try this method once more, if the members were in favour of it, and if both parties would proceed in good faith.' [1]

So little wisdom had Ferdinand acquired from past experience that he himself actually wished to tread again the unlucky road which could only lead to increased complications and confusion.

On March 7 the debates began. The Diet unanimously agreed that separate committees should be appointed which should discuss simultaneously whether a general council or a national synod should be the means fixed on for settling the religious question, and what measures should be adopted for keeping peace in the interval among the dissentient parties.

Meanwhile, a step taken by a large majority of the princes during the sitting of the Diet exercised a decisive influence on the course of the negotiations. Instead of making their appearance at Augsburg, the Electors Joachim of Brandenburg and Augustus of Saxony, the Landgrave of Hesse, the sons of the deceased John Frederic of Saxony, and the princes of the Franconian-Brandenburgish House assembled at Naumburg in March and held a kind of opposition Diet.[2] The Elector Joachim had sworn obedience to the Pope and the Council at Trent; the Landgrave of Hesse had promised the Emperor to conform to his Interim. At Naumburg, however, both these princes joined with the others in agreeing, for themselves and their heirs, to stand by the Augsburg Confession and ' to take measures for insuring

[1] Lehmann, pp. 7–12.

[2] '. . . si ridussero a Naumburg e di la quasi da una antidieta scrissero a S. M.,' wrote the nuncio Delfino to the Cardinal Caraffa. (Ranke, *Zur deutschen Geschichte*, p. 6, note 2.)

that no doctrine not in accordance with it should be promulgated, and that all that was in opposition to it should be forbidden and abolished.' Each and all of them declared that they would have 'the ceremonies' performed in their territories in accordance with these tenets.[1] On March 11 they wrote to King Ferdinand that although they deemed it a praiseworthy undertaking to strive after a coalition in religion, they feared that nothing satisfactory would be accomplished, either at a council or at a religious conference, until an unconditional peace between the religious disputants had been established. They begged the King therefore to keep this end in view at Augsburg according to his promise in the treaty of Passau.[2]

The question of 'measures for reconciliation' was now adjourned, and the Protestants gained this much, that in the electoral college the clerical votes also were given in favour of 'a perpetual peace,' even if no religious accommodation should be brought about. This 'perpetual peace,' as Zasius, Ferdinand's councillor, wrote from Augsburg on June 5, 'had been the cherished vision of the Augsburg Confessionists almost ever since the beginning of his Imperial Majesty's reign, but it had never before come near to realisation.'[3]

The decision of the college of electors found a

[1] Lehmann, pp. 54–55. Joachim, in his instructions to his delegate at Augsburg, had said: 'There was no more profitable way of reconciliation in religion than the Interim, if, as had been intended from the first, it was accepted by the Catholic members also. For in this document the principal points of our Christian religion were secured, the doctrine of justification, the right use of the sacraments, and the marriage of the priests; we shall even have robbed the Catholics of the Canon of the Mass.' (Wolf, *Religious Peace of Augsburg*, p. 24, note 3.)

[2] Lehmann, pp. 53–54.

[3] Wolf, pp. 22–23.

decided antagonist among the assembly of princes in the person of the Cardinal Bishop Otto of Augsburg, who would not give his sanction to an arrangement which threatened to perpetuate the division of the nation into two religious camps; 'he would not agree to terms of peace which were to retain their force and validity even though the attempted unification were not accomplished.' For the question was to be settled at a council, according to whose decision one party would have to yield to the other; there must be only one religion in the land, for God was a God of unity and not of dissension.

The secular power had no right to meddle in the internal affairs of the Church; it was interference of this sort 'that had caused the heaviest of the misfortunes we saw around us.' The abolition of episcopal jurisdiction meant the introduction of slavery; individual bishops might have fallen short of their duty, as many indeed had done, and as the spiritual overseers must themselves allow and confess openly before the world, but this did not justify the overthrow of the constitution and government of the Church, to which, within limits, the most exalted even of secular rulers were subject. There was no denying that in the matter of lawsuits and questions of jurisdiction the consistories had been guilty of many abuses, but this might be remedied by each jurisdiction confining itself to its own *forum*. On March 23, Otto sent the Estates a formal declaration to the effect that 'although he would do his utmost to promote peace and to keep it, and would attempt no hostile proceedings against any one, he must nevertheless frankly and firmly declare that he could not in any degree subscribe to the proposed scheme of religion

(and all that appertained to it) relating to dogma, government, things, and persons, but that, on the contrary, he intended to remain true to the duty and allegiance he had sworn to the Pope and the Roman See, the Emperor and the realm, in all points and articles. Rather than subject these points to discussion he would unflinchingly give up life and limb and all his worldly goods ; he protested before God and man that he would, as became a consistent Christian and a born German, be true to his oath and duty unto death.' He took no further part in the proceedings.[1]

The other ecclesiastical members of the assembly of princes agreed to the electoral scheme respecting ' a perpetual peace independent of religious reconciliation,' but wished to insert the clause, ' so far as was consistent with the duties of their office.'

As the ecclesiastical councillors of the college of electors did not reject the clause at once, but wished to refer the matter to the decision of their liege-lords, the Protestant members broke up the meeting. The ecclesiastical councillors were thrown into such consternation that the chancellor of the Archbishop of Mayence called on the Saxon ambassadors in their hotel and begged them not to send off despatches immediately to their court, ' but to leave the matter in abeyance for one more day.' The clause, they said, was the work of the devil ; he must himself confess that it had no value.[2]

[1] Otto and the Papal legate, Morone, who represented the same principles, left Augsburg shortly after in order to be present at the Conclave at Rome after the death of Julius III.

[2] Ranke, v. 263, note. The date in Ranke, April 14, is erroneous. According to von Druffel the incident happened in May (iv. 658 and 687).

On the following day the clause was unanimously rejected.

The Protestants played this daring game because, writes one who was present, 'they knew that they had the upper hand everywhere and in all things, and they knew what fear and terror the spiritual princes had been thrown into by the bellicose proceedings of the last years and the destructive violence of the Margrave Albert of Brandenburg. The Emperor, incapacitated by bodily illness, had handed over all management to Ferdinand, who himself was threatened with the Turks close at hand, and stood in constant dread of fresh war and insurrection in the Empire.' In confident apprehension of a complete subversion of the Church in Germany, the Archbishop of Mayence had already instructed his ambassadors, on March 11, to accommodate themselves to the demands of the Protestants with regard both to episcopal jurisdiction and to the restitution of ecclesiastical property.

At the council of princes the bishops declared that 'on account of their oaths they could not consent to a final cession of the church property appropriated by the Protestants; if, however, the Emperor thought it right to insist on this course, they would not oppose him, but would agree to tolerate what they could not prevent.' But the Protestants were not satisfied with this promise of 'toleration,' and the Brandenburg delegate warned the bishops that 'if they persisted in their obstinacy it would be at their own peril, and each fox had better look after its own skin.'[1] The threat took effect. It was conceded that the Protestants should retain for all future time, in their undisputed possession, all the con-

[1] Schmidt, *Neuere Geschichte der Deutschen*, ii. 41.

fiscated property, bishoprics and cloisters, which had not been held immediately under the Empire and had already been in their possession at the time of the Passau treaty.

The free exercise of ecclesiastical power by the Protestant ruling authorities had hitherto been hampered by the constitutional obstacle that the Imperial Government was bound to protect and maintain the spiritual jurisdiction of the bishops in their dioceses. Practically this protection had been in abeyance for many years past, and individual bishops had here and there 'suspended' their rights in favour of Protestant princes, as instanced by the action of the Archbishop of Mayence, Albert of Bandenburg, in 1528, in respect of Hesse and Saxony.[1]

This obstacle was now to be removed in all directions, and the suspension of government authority over the Augsburg Confessionists ratified by an imperial decree.

This demand also was conceded by the Catholic members.[2]

The Protestants then proceeded to insist further that all members of the Empire and all civil authorities should be free to accept the Augsburg Confession for themselves and their subjects; and not only the temporal but also the spiritual members, who should then remain unhindered in the possession of their bishoprics, deaneries, benefices, and revenues.

This last stipulation raised decided opposition on the part of the Catholics.[3]

'For the ecclesiastical members of the Empire,' they

[1] See Vol. V. 183, 184.
[2] Von Druffel, iv. 736.
[3] Ritter, pp. 249 ff.

said, 'to be free to adopt the Confession of Augsburg would be the cause of complete ruin to numbers of bishoprics in the Empire, and the seed of endless discontent and quarrelling. There would be only too many among the ecclesiastical members ready to follow the example of the Duke of Prussia and to take actual possession of the bishoprics both for themselves and for their heirs, or who at any rate would associate the greater freedom allowed by the Augsburg Confession with the use and enjoyment of clerical emoluments. Prelates who were allowed to cast off the ecclesiastical habit and to marry would either lay hands on all monastic property, or else, before their secession, make a complete clearance for their personal benefit. The only way of rescuing the Catholic Church from the snares of mundane greed was to enact a law that every priest, either of high or low degree, who abjured the old religion should be *ipso facto* deprived of his position and office.'

If this last demand of the Protestants were acceded to, wrote the Papal nuncio Delfino from Augsburg on June 2, the Archbishop Sigmund of Magdeburg, son of the Elector Joachim of Brandenburg, would instantly embrace Lutheranism, and in a short time, he greatly feared, most of the prelates would take to themselves wives and secularise their bishopries.[1] The House of Brandenburg, said King Ferdinand bluntly to Joachim's ambassador, means undoubtedly to deal with the archbishopric of Magdeburg as it has dealt with Prussia.

[1] Maurenbrecher, *Carl V. und die deutschen Protestanten*, 'Anhang,' p. 170. 'By the desire of the Protestants,' wrote Zasius to Maximilian, 'there would soon be archbishopesses, bishopesses, provostesses, &c., *in feminino* as *in masculino genere*, established throughout the Empire. (Wolf, *Augsburger Religionsfriede*, p. 131.)

The Pope had confirmed the election of the Archbishop Sigmund, after having received from him a solemn assurance of his fidelity to the Catholic religion. But the same sort of jugglery had been employed on the occasion as that which Duke Albert of Prussia had resorted to in order to procure the archbishopric of Riga for his brother William and to convert it to Protestantism. Oaths of allegiance were sworn to the Pope, with reservations not to observe them. Such subterfuges, said Albert of Prussia, could be used 'with a good conscience for the sake of promoting "divine doctrine."' Archbishop Sigmund of Magdeburg, unknown to King Ferdinand and the nuncio Delfino, had already on January 23, 1554, told the council at Halle that 'he intended to support the true doctrine, that he would not let himself be misled by false teaching, and that he would abolish the monks and their godless proceedings.' The Elector Augustus of Saxony had also, during the Diet of Augsburg, found a man ready to go through another 'bit of jugglery' for the sake of the bishopric of Meissen. On April 25, 1555, Augustus had made a compact with Johann von Haugwitz, a canon of Meissen, to the effect that if he were elected bishop he would not only renounce his rights as an estate of the Empire, but would also 'personally plant, nourish, and maintain the true Christian religion, as it was professed in Saxony, throughout the whole of his diocese.' The election had taken place through the influence of the Elector, and on May 29 had been confirmed by the Pope, von Haugwitz taking his solemn oath to use all his power and influence to preserve both clergy and people in the Catholic faith. Thus it was they played with oaths as with dice.

'The resolution that the secular Estates should be allowed to join the Confessionists will be carried,' wrote Emann, licentiate of Mayence, from Augsburg on June 17, 'but as regards the clergy there are such great difficulties on both sides that it is to be feared the whole proceedings will collapse on this point, and the assembly be dissolved.' The Saxon Elector's delegates declared it was against the consciences of the Confessionists to give up their stipulation respecting the clergy, because in such a case the powerful worldlings would alone be able to adopt the Confession, and the others would be driven straight to the devil.[1]

When they found that the Catholic members, both lay and cleric, were firm in their determination not to yield in the matter of the Ecclesiastical Reservation, the Protestants, on July 21, addressed a written statement to the King, in which they characterised the attitude of the Catholics as 'opposed to God and all former imperial decrees.' They could not give in, they said, without sinning against the majesty of God; for the divine promises of everlasting salvation included the whole of mankind, clergy and laity, and they did not want to bar the gates of heaven against the clergy, and bring on themselves at the day of judgment the sentence of Christ: 'Woe unto you! for ye shut up the kingdom of heaven against men: for ye neither go in yourselves, neither suffer ye them that are entering to go in.' If Jews, Turks, and infidels had sense enough and zeal enough to try to win others to their opinions and beliefs, how much more was this duty incumbent on them, who were commanded as Christians to save others under penalty of forfeiting their own salvation!

[1] Bucholtz, vii. 191.

They had no hesitation in saying to the Catholic King: 'Although we know surely and can plainly prove from Holy Scripture, from the decrees of the Fathers and of Councils, and from the sacred laws and canons, that the members of the Empire professing the old faith have in many ways abused the Christian religion and the goods of the Church to the dishonour of God, the corruption of the Church of Christ, and the danger of countless souls of men, we have nevertheless, for the sake of peace, agreed that, pending the final settlement of the religious strife, they should remain in undisturbed possession and enjoyment of their Church usages, ceremonies, property, lands and people, lordships and jurisdictions, prerogatives and rights, rents, tithes and taxes; no change would be made in the election of bishops and canons, in foundations, old customs or administrations.

The Protestants, therefore, wished it to be regarded as a signal proof of their amicable intentions that they did not completely suppress the Catholic religion in the realm, and did not appropriate all the bishoprics with their appurtenances.

It was known, however, to the whole world in what manner Church property and revenues had been dealt with in Protestant principalities and towns. The new religionists themselves raised the loudest complaints over the misuse, 'the squandering and wasting of the greater part of these goods,' and invoked the judgment of God on the heads of the 'sacrilegious Balthasars and dilapidators.'

At Augsburg, however, the Protestants asserted that it was only 'a large proportion' of the ecclesiastical princes who had been guilty of misuse of the

Church goods; they themselves, on the contrary, had persistently aimed at securing the legitimate and Christian use of ecclesiastical revenues. And it was still their opinion that these ought to remain attached to the Church in perpetuity. The fear entertained by the Catholics that through the abandonment of their 'Ecclesiastical Reservation' the bishoprics and foundations would in course of time become profaned and transformed into secular lordships and fiefs was groundless, they said; the colleges and chapters would be allowed to retain their right of free election and management, and the holders of imperial bishoprics would not lose their seats or votes.

Such assertions as these were scarcely consistent with the proceedings of the Duke of Prussia; with the treaty that the Elector Joachim and his brother Hans had concluded respecting the incorporation of the bishoprics of Brandenburg, Lebus, and Havelberg with their dominions; with Brandenburg's plan respecting Magdeburg; with the compact only just formed between the Elector Augustus of Saxony and Haugwitz, bishop of Meissen.

The Protestants described their memorial to the King as 'a Christian and benevolent statement of opinion and instruction.' If, however, they should not succeed in carrying their point with the opposite party, it would be necessary, 'in view of the fact that the Estates of the old religion, and especially the clerical order, were already, through the judgment of the Almighty, overladen with many unchristian, special, disagreeable and insupportable oaths and obligations,' to yield and 'grant them the liberty of coming to an understanding among themselves regarding this article,

apart from this constitution, and of binding themselves according to their will and pleasure as fast and hard as they please.' 'But,' they added in conclusion, 'we cannot and will not allow this article to be embodied in the general constitution of the religious peace.' For it contained, they repeated, an implied 'condemnation of the Augsburg Confession and religion,' and branded with 'infamy,' not individuals only, but their Christian faith itself.[1]

At Ferdinand's request, Zasius again pointed out that the whole question was one of property and revenues rather than of faith and conscience. The bishops who wished to become Lutherans should be content with the liberty granted them; for if they really wished to adopt this teaching in response to strong dictates of conscience and religious zeal, they would not concern themselves about property and revenues, but would remember the Gospel teaching: 'We have left all and followed Thee.' 'His speech was highly sarcastic,' wrote the Saxon representatives to their master. But the Elector Augustus was in agreement with Zasius. The Ecclesiastical Reservation, he said in a secret letter of instructions for his ambassadors, might be accepted by himself and his co-religionists 'without violation of conscience;' for 'it had nothing to do with conscience, but only with property, seeing that every archbishop, bishop, or other prelate who wishes to come over to our religion is free to do so provided he gives up his bishoprics or benefice.' It was, however, no slight infamy and disgrace that 'the door to the great ecclesiastical dignities should thus be closed to Protestant secular electors, princes, counts,

[1] Lehmann, pp. 30–32.

nobles, and to their children and children's children after them.'

'There was a fierce interchange of virulent letters among the members, and spirits waxed very bitter.' The Protestants threatened open war if their demands were not satisfied. News of military preparations at once came pouring in. First it was the sons of the deceased John Frederic of Saxony, then Duke Eric of Brunswick-Calenberg, then the dreaded incendiary Albert of Brandenburg-Culmbach, by whom the bishops were to be visited with fresh chastisement. The Dukes of Bavaria and Würtemberg took their leave of Augsburg.

Ferdinand gave up all hope of a successful issue of the Diet. At the beginning of August he informed the Estates that as he had now been nearly eight months at Augsburg without accomplishing anything, and as, owing to the absence of the princes, no definitive settlement was to be expected, and he himself was obliged to return immediately to his own land on account of the alarming preparations that were being made by the Turks, the Diet must be adjourned till the following March and removed to Ratisbon; the treaty of Passau meanwhile was to continue in force.

This proposal, however, was strongly opposed both by the Catholic and Protestant members. The latter, profiting by the situation of the moment, endeavoured to push through their objects at Augsburg; the former, 'with tears in their eyes,' implored the King not to forsake them, but to arrange for peace between them and their adversaries, or they would be plunged in a war without any means of defending themselves.

What a war of religion meant the ecclesiastical estate had learnt both for themselves and their subjects

'by the gruesome and terrible experiences' of the last years. 'If God Almighty, in punishment of our sins,' wrote the licentiate Emann, 'should visit us once more with plunder, carnage, slaughter, and humiliation, the Holy Empire will be completely ruined and devastated, and its degenerate people will sink back into barbarism. Our antagonists are indulging in such threatening language that we cannot but fear we are at the beginning of fresh horrors.'

The ecclesiastical members and their representatives were so greatly intimidated that they yielded at almost every point, in the hope, it must be said, that the King would not agree to what had been resolved.[1]

On August 30 Ferdinand submitted to the notables a resolution in which he reasserted, with regard to the Ecclesiastical Reservation, that 'it was all the more incumbent on him to adhere to it because no regulations had been imposed on the Protestants for dealing with the confiscated bishoprics, cloisters, and parishes, and with their owners and incumbents, in case the latter should prove unfit for their offices and charges. For just as it would seem very unjust and hard to them if the Catholics should insist on their continuing to maintain these preachers and church officials even if they abjured their confession, and taught contrary doctrine, so would it be equally hard, if not more so, for the Catholics to allow apostates from the faith to remain in

[1] 'Si vede in loro [gli ecclesiastici] poca costanza, et qui come questi protestanti nelli consegli bravano di tragli i vesovati per fuerza se non consentono alle demande ingiuste, habent genua ita debilia, ut consentiant ad omnem rem etiam turpem, pensando pure che il Re poi, ad quem omnia postremo deferuntur, non habbia a lasciar passer le cose concluse,' wrote Bishop Lippomano on Aug. 3, 1555. (Maurenbrecher, Appendix, p. 177.)

bishoprics, prelacies, and benefices, notwithstanding that they despised and opposed the Catholic religion and worship. Nothing but quarrelling, ill-will, and widening of the schism could result from such a course. It would not be a means to peace and unity, but only to worse dissatisfaction. As for the secular Estates, only those immediately under the Empire must be allowed religious freedom. With regard to the free and imperial cities, in which till then both religions had been practised, it must be stipulated in the treaty of peace that in future no one party must attempt to abolish or suppress the religious rites and ceremonies of the other. This decree would tend to the preservation of internal tranquillity in the towns, and would also commend itself to the burghers as reasonable and equitable.'

The Catholic members gave in their consent to this royal proposal, but the Protestants still refused to give up any of their exactions. They now began, however, to disagree among themselves.

The Protestant towns objected to the tolerance proposed by the King. 'They could not see the justice and equity on which the religious peace was supposed to rest. The higher Estates were allowed entire freedom to adopt and maintain whichever religion they preferred, but in the case of the free and imperial cities this liberty was so narrowed down and restricted that they would be obliged, against their consciences, to tolerate both religions within their boundaries. If for all future time they were to be condemned to have two religions existing, with equal right, side by side, there would be nothing but contention, ill-feeling, and disturbance in the communities, and ruin of municipal life.' [1]

[1] Lehmann, p. 38.

For the glory of God and for conscience' sake, therefore, they protested, the exercise of the Catholic religion must not be tolerated in the towns. Gremp, the delegate from Strasburg, gave a special reason for his objections. 'The preachers,' he told Duke Christopher of Würtemberg, 'are all the more urgent in demanding complete annihilation of popery, because it exercises a pernicious influence on the young, who are beginning to develop a strong taste for this form of religion.'[1]

While the Protestant towns were inveighing against tolerance, the ambassadors of the electors and princes were 'taking another road.' These princes had completely suppressed the Catholic Church within their own dominions, and had left their subjects no alternative but to embrace Protestantism or leave the country. They had repeatedly declared intolerance of the Catholics to be a religious duty. Again in March, at the Diet at Naumburg, the assembled princes had pledged themselves to tolerate nothing that was opposed to the Confession of Augsburg, but to abolish all teaching and preaching that were at variance with it. 'After having destroyed every vestige of Catholicism in their lands,' they instructed their delegates at the Diet to demand that the subjects of both parties should be allowed freedom in religion, and especially that the Catholic rulers, wherever they had hitherto allowed the Protestants to carry on their religion, should give this sanction the confirmation of an imperial decree. They actually had the audacity, in spite of all that had happened during the last thirty years, to assert that their Catholic subjects, lay and clerical, had suffered no molestation of any sort from government authorities, and that

[1] De Bussière, *Développement*, ii. 54.

justice required that the Catholics should treat the Protestants with equal consideration.

There was so much political excitement and partisanship everywhere bound up with the religious innovations that the Catholic members, with Ferdinand at their head, insisted all the more resolutely on their claims to the same right which the Protestant princes had asserted and exercised for years past, namely not to be compelled to tolerate a schismatic religion within their dominions. They were not concerned solely about religion, they said, but about the obedience and allegiance of their subjects, and they would not be able to rely on these any longer if the freedom exacted by the Protestants were granted to the Catholics also.

'The King would never go so far as that,' said Ulrich Zasius to the Protestants, 'even if they put him on the rack. Just as he leaves you at liberty to govern your subjects as you like, both in civil and religious matters, so he expects to have similar independence himself, especially as among the lands he owns there are some to which he pledged himself, at the beginning of his rule, that he would tolerate no other religion than that which was already in existence.' If the Protestants tried to force him to act against his conscience, and, to his soul's perdition, to open the door of rebellion to his subjects, he had a short way out of the difficulty, and would instantly throw up the whole proceedings and ride away from Augsburg. Demands such as they had put forward had not even been raised at the Passau negotiations, when, so to speak, the arquebuses, pikes, and halberds were ready at the door.[1]

As for the religious freedom which it was pretended

[1] Schmidt, *Neuere Geschichte der Deutschen*, ii. 50–54.

that the Catholics enjoyed in the Protestant districts, the Catholic members said 'it was patent to everybody that in the Protestant towns and provinces the burghers and other inhabitants of the old religion were shunned and despised by the Protestants; all offices of trust and dignity were closed to them, and attempts of all sorts were made to compel them to adopt the Augsburg Confession; the clergy were docked of their incomes, and when they complained they were shown their way out at the door. The Lutheran service was introduced everywhere, and the old Christian faith banished from the land, so that it would be better to cease talking about this so-called equality than to make such demands on the orthodox believers.' They, the orthodox members of the Empire, would not suffer themselves and their subjects to be deprived of their ancient traditional religion. If the adherents of the Augsburg Confession had hitherto enjoyed a few tranquil years under the Catholic rulers, they had to thank the voluntary tolerance of the latter, but had no right to build any claims on the fact.

The Protestants were above all concerned to insure the security of their co-religionists within the ecclesiastical territories. The Elector Augustus of Saxony, in the declaration in which he had expressed himself in favour of the Ecclesiastical Reservation, had emphatically stated that he could not agree to leaving the bishops a completely free hand in the control of their vassals; they would have much to answer for if now or in the future, under the pretext of religious liberty, the episcopal towns of Magdeburg, Halberstadt, Halle, Jüterbogk, Merseburg, Naumburg, Zeitz, Wurzen, and others were forced to abjure the Confession of Augsburg.

He could not accept an article of this nature, 'let his Royal Majesty, or whoever chose, advocate it.' The other Confessionists sided with Saxony and said they would rather break up the meeting and leave Augsburg than give in.

Ferdinand at last, 'driven by dire necessity,' and to secure for himself and the lay Catholic members the same freedom of choice in religion which the Protestants enjoyed, agreed to their demands with regard to the ecclesiastical districts. He acted on the principle 'Better lose a little than lose much more,' and he made the Protestants a secret declaration, which was not recorded in the recess, to the effect that the members and delegates who professed the Augsburg Confession had represented to him that knights, towns, and communes belonging to several archbishops, bishops, and other ecclesiastics and religious institutions had for a long time been adherents of the Confession of Augsburg, and that serious trouble and insurrection would arise if they should be constrained to renounce their creed: they begged, therefore, that the King would enjoin the clergy to leave these their subjects unmolested, and, as a concession to the demands of circumstances, to accord them the benefits of the religious peace of Augsburg. To this the Catholic members had opposed all sorts of arguments and objections, so that the two parties had been quite unable to come to an understanding. Accordingly he, Ferdinand, now declared, in virtue of the authority conferred on him by his Imperial Majesty, that those knights, towns, and communities, under ecclesiastical lordship, which for some time past had adhered to the Augsburg Confession and had practised that Church's

usages and ceremonies openly, and still practised them at the present time, were not to be coerced by anybody, but were to be left unmolested until the Christian religious accommodation had been arranged.[1]

By this declaration the peace was 'already damaged in one point beforehand;' it was equally damaged at another point by a decision respecting the Ecclesiastical Reservation, 'which was in reality no decision at all, and which opened the door to the associates of the Augsburg Confessionists.'

'Whereas the members of the two religions,' so ran the text of the treaty of peace, 'had not been able to come to an agreement as to how to deal with the clergy who should abjure the old religion, the King, in virtue of the plenary power conferred on him by the Emperor, declared that every archbishop, bishop, prelate, or other clerical personage who accepted the Confession of Augsburg, must forfeit his office, dignity, and income, albeit without prejudice to his reputation: and the chapters, or whatever body by tradition and usage had the right of appointment, should be free to place a person of the old religion in the vacant post.'[2]

Nevertheless, even before the end of the Diet the councillors of the Protestant electors and princes told the town delegates that the article was not binding on them: that the king had only had it inserted in the treaty to make a pretence of pleasing the ecclesiastical

[1] This subsidiary declaration was not the result of ordinary debates, but of private conferences. The Catholics had consented to it passively, not wishing to be bound by it, and on the express understanding that it should not be made public. Full legal force was, therefore, wanting to this royal enactment published at the wish of the innovators. See Moritz, *Die Wahl Rudolfs II.*, pp. 21–32.

[2] Von Druffel, iv. 732.

princes; but that the temporal electors and princes of the Augsburg Confession would not be deprived of any of their rights by a clause added without their consent, and which, not having been ratified by the majority, was binding on no one, and was null and void.[1]

The Protestants declared later on that they were not bound by the Ecclesiastical Reservation, because they had not consented to it, as was manifest from the words of the article: 'The members had been unable to come to an agreement in this respect.' From this, however, it followed logically that the royal declaration with regard to the religious freedom of the Confessionists in the ecclesiastical territories was not binding on the Catholics; for in this document it was expressly stated that, in virtue of the plenary power bestowed on him by the Emperor, the King had enacted this decree because the members had not been able to come to an agreement.

Thus the so-called 'Augsburg Treaty of Peace' contained within itself from the first the germs of further discord.

Indeed, the whole transaction might be described in the words of Jeremiah: 'They cried Peace, peace, when there was no peace.'

'The religious schism with all its consequences, as Ferdinand had depicted them at the opening of the Diet, was by no means removed by all the fine speeches made about reconciliation; on the contrary, it was established in perpetuity both for those then living and for posterity.' 'The Holy Empire,' said a writer of true patriotic soul a few days after the conclusion of the proceedings, 'the Holy Empire will remain hence-

[1] Lehmann, pp. 51–52. Ritter, p. 253 ff.

forth a divided Empire, unless God interposes miraculously.' [1]

The Augsburg work, moreover, had no reference whatever to the religious breach in the nation, to the Catholics and Protestants among the people, but only to the members of the Empire, considered respectively as believers in the Catholic faith or in the Confession of Augsburg, who pledged themselves not to oppress each other on account of religion. Supposing any one of the latter should wish to go over to any other sect among the Protestants, say for instance to the Zwinglians or the Calvinists, he would be entirely excluded from this treaty. It remained to be seen whether this would tend to peace for the Empire and the people.

The compact was of no advantage to any but the princes and the Estates of the Augsburg Confession.[2]

These last obtained what they had so long striven after: the unlimited duration of the peace, together with undisturbed possession of the confiscated church goods, cloisters and foundations, and free use of their revenues. They obtained further, by the constitutional confirmation of the suspension of episcopal jurisdiction, complete freedom in the exercise of the right of church management which they claimed, and were empowered to legislate within their territories concerning doctrine, church worship, ecclesiastical government and discipline, and the appointing and deposing of church officials. All clerical liberty, rights, and prerogatives were completely annihilated.

[1] Despatch of Emann, Oct. 3, 1555; see *Mainzer Relation.*

[2] The religious freedom of the immediate imperial Estates was tacitly assumed throughout the whole Augsburg treaty, with the single exception that in the free towns both confessions should continue to co-exist. See von Druffel, iv. 739, 743.

The principle, first inculcated by the theological leaders and orators of the religious revolution, of the unconditional obedience due from subjects to their rulers, gained complete authority at Augsburg, where it overruled the most sacred personal matters of faith and conscience. The fundamental axiom of the new national church, 'To whom the land belongs, to him belongs the religion of the land,' was solemnly recognised and did away with all freedom of conscience.

The pettiest princes and corporations of the Empire were now privileged to determine the religious faith of their subjects. The only freedom retained by the latter was the melancholy right, after selling up their goods and chattels for the sake of their religion, to migrate from their country with no further liabilities or annoyance than the payment of a moderate indemnity to the state. The right of the authorities to retain or to set free their bondmen remained, however, unimpaired by this enactment. Those who either could not or would not expatriate themselves were obliged to accept the laws imposed on their consciences by the will of the ruling authorities. After the civil powers had taken in hand the management of the politico-religious revolution, the people had no other course left them than to suffer and be silent.

The so-called religious peace of Augsburg became a new source of unutterable misery for Germany.

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